

# HOUSE JOURNAL

PROCEEDINGS

OF THE

## House of Representatives

OF

## The Legislature

OF THE

STATE OF KANSAS

---

REGULAR 2015 SESSION

JANUARY 12, 2015 THROUGH ADJOURNMENT JUNE 26, 2015

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

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2015



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*Governor*  
SAM BROWNBACk, Topeka

*Lieutenant Governor*  
JEFF COLYER, Overland Park

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OFFICERS OF THE HOUSE

Session of 2015

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Ray Merrick.....	Speaker
Peggy Mast .....	Speaker Pro Tem
Jene Vickrey .....	Majority Leader
Tom Burroughs .....	Minority Leader
Susan Kannarr .....	Chief Clerk
Foster Chisholm.....	Sergeant-at-Arms



## HOUSE OF REPRESENTATIVES—2015 MEMBERS LISTED ALPHABETICALLY

<i>Name</i>	<i>Party</i>	<i>Dist.</i>	<i>Occupation</i>
<b>Alcala, John</b> , Shawnee .....	Dem.	57	Retired US Navy
<b>Alford, Steve</b> , Grant .....	Rep.	124	Farmer
<b>Anthimides, Steven</b> , Sedgwick .....	Rep.	98	Business Owner
<b>Ballard, Barbara</b> , Douglas .....	Dem.	44	University Administrator
<b>Barker, John</b> , Dickinson .....	Rep.	70	Retired Judge
<b>Barton, Tony</b> , Leavenworth .....	Rep.	41	Pastor
<b>Becker, Steven</b> , Reno .....	Rep.	104	Retired District Court Judge
<b>Billinger, Rick</b> , Sherman.....	Rep.	120	Retired Businessman/Farmer
<b>Boldra, Sue</b> , Ellis .....	Rep.	111	Educator
<b>Bollier, Barbara</b> , Johnson .....	Rep.	21	Retired Physician
<b>Bradford, John</b> , Leavenworth .....	Rep.	40	Consultant
<b>Bridges, Carolyn</b> , Sedgwick .....	Dem.	83	Education Consultant, Small Business Owner
<b>Bruchman, Rob</b> , Johnson .....	Rep.	20	Attorney
<b>Brunk, Steve</b> , Sedgwick .....	Rep.	85	Real Estate and Business Broker
<b>Burroughs, Tom</b> , Wyandotte .....	Dem.	33	Retired Colgate-Palmolive
<b>Campbell, Larry</b> , Johnson .....	Rep.	26	Banking/Professor
<b>Carlin, Sydney</b> , Riley .....	Dem.	66	Investments, Property manager
<b>Carmichael, John</b> , Sedgwick .....	Dem.	92	Attorney
<b>Carpenter, Blake</b> , Sedgwick .....	Rep.	81	Consultant, National Institute for Aviation Research
<b>Carpenter, Will</b> , Butler .....	Rep.	75	Business Owner
<b>Claeys, J. R.</b> , Saline .....	Rep.	69	Nonprofit Management
<b>Clark, Lonnie</b> , Geary .....	Rep.	65	Retired
<b>Clayton, Stephanie</b> , Johnson .....	Rep.	19	Social Media Consultant
<b>Concannon, Susan</b> , Mitchell .....	Rep.	107	Former Executive Director-Medical Foundation
<b>Corbet, Ken</b> , Shawnee .....	Rep.	54	Business Owner
<b>Couture-Lovelady, Travis</b> , Rooks .....	Rep.	110	Agriculture/Agritourism
<b>Curtis, Pam</b> , Wyandotte .....	Dem.	32	Community Relations
<b>Davis, Erin</b> , Johnson .....	Rep.	15	Attorney
<b>DeGraaf, Pete</b> , Sumner .....	Rep.	82	Financial Consulting, Ministry Director
<b>Dierks, Diana</b> , Saline .....	Rep.	71	Realtor
<b>Doll, John</b> , Finney .....	Rep.	123	Self-employed
<b>Dove, Willie</b> , Wyandotte .....	Rep.	38	Insurance Sales
<b>Edmonds, John</b> , Barton .....	Rep.	112	Certified Public Accountant
<b>Esau, Keith</b> , Johnson .....	Rep.	14	Software Engineer
<b>Estes, Bud</b> , Ford .....	Rep.	119	Farm machinery dealer
<b>Ewy, John</b> , Hodgeman .....	Rep.	117	Community College Professor
<b>Finch, Blaine</b> , Franklin .....	Rep.	59	Attorney
<b>Finney, Gail</b> , Sedgwick .....	Dem.	84	Small Business Owner

<b>Francis, Shannon</b> , Seward .....	Rep.	125	Developer
<b>Frownfelter, Stan</b> , Wyandotte .....	Dem.	37	Sales
<b>Gallagher, Linda</b> , Johnson .....	Rep.	23	Freelance writer and editor
<b>Garber, Randy</b> , Nemaha .....	Rep.	62	Retired Navy/Construction Worker
<b>Goico, Mario</b> , Sedgwick .....	Rep.	94	Financial Advisor
<b>Gonzalez, Ramon</b> , Jefferson .....	Rep.	47	Police Chief
<b>Grosserode, Amanda</b> , Johnson .....	Rep.	16	
<b>Hawkins, Daniel</b> , Sedgwick .....	Rep.	100	Insurance Agent
<b>Hedke, Dennis</b> , Sedgwick .....	Rep.	99	Consulting Geophysicist
<b>Hemsley, Lane</b> , Shawnee .....	Rep.	56	Attorney/Administrator
<b>Henderson, Broderick</b> , Wyandotte .....	Dem.	35	Parking Controller Office
<b>Henry, Jerry</b> , Atchison .....	Dem.	63	Executive Director-Achievement Services
<b>Hibbard, Larry</b> , Woodson .....	Rep.	13	Stockman/Rancher
<b>Highberger, Dennis "Boog"</b> , Douglas .....	Dem.	46	Attorney
<b>Highland, Ron</b> , Pottawatomie .....	Rep.	51	Retired Veterinarian
<b>Hildabrand, Brett</b> , Johnson .....	Rep.	17	Job Recruiter
<b>Hill, Don</b> , Lyon .....	Rep.	60	Pharmacist
<b>Hineman, Don</b> , Lane .....	Rep.	118	Farmer
<b>Hoffman, Kyle</b> , Comanche .....	Rep.	116	Farmer/Rancher
<b>Houser, Michael</b> , Cherokee .....	Rep.	1	Construction Estimator
<b>Houston, Roderick</b> , Sedgwick .....	Dem.	89	Minister
<b>Huebert, Steve</b> , Sedgwick .....	Rep.	90	Self-employed
<b>Hutchins, Becky</b> , Jackson .....	Rep.	61	Retired
<b>Hutton, Mark</b> , Sedgwick .....	Rep.	105	General Contractor
<b>Jennings, Russell</b> , Kearny .....	Rep.	122	Government Consulting
<b>Johnson, Steven</b> , Saline .....	Rep.	108	Farmer
<b>Jones, Dick</b> , Shawnee .....	Rep.	52	Retired US Navy
<b>Jones, Kevin</b> , Franklin .....	Rep.	5	Entrepreneur
<b>Kahrs, Mark</b> , Sedgwick .....	Rep.	87	Attorney
<b>Kelley, Kasha</b> , Cowley .....	Rep.	80	Marketing
<b>Kelly, Jim</b> , Montgomery .....	Rep.	11	Banker
<b>Kiegerl, Mike</b> , Johnson .....	Rep.	121	Adjunct Professor, Ret.
<b>Kleeb, Marvin</b> , Johnson .....	Rep.	48	Business Owner
<b>Kuether, Annie</b> , Shawnee .....	Dem.	55	
<b>Lane, Harold</b> , Shawnee .....	Dem.	58	Retired
<b>*Lewis, Greg</b> , Stafford .....	Rep.	113	Farmer/Rancher
<b>Lunn, Jerry</b> , Johnson .....	Rep.	28	Consultant/Real Estate Investment
<b>Lusk, Nancy</b> , Johnson .....	Dem.	22	Small Business Owner
<b>Lusker, Adam</b> , Cherokee .....	Dem.	2	Owner, A. Lusker Masonry LLC
<b>Macheers, Charles</b> , Johnson .....	Rep.	39	Attorney
<b>Mason, Les</b> , McPherson .....	Rep.	73	Business Owner
<b>Mast, Peggy</b> , Lyon .....	Rep.	76	Retired
<b>McPherson, Craig</b> , Johnson .....	Rep.	8	Attorney
<b>Merrick, Ray</b> , Johnson .....	Rep.	27	Retired
<b>Moxley, Tom</b> , Morris .....	Rep.	68	Farmer / Rancher

## MEMBERS LISTED ALPHABETICALLY

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<b>O'Brien, Connie</b> , Leavenworth .....	Rep.	42	Private Investigator
<b>Osterman, Les</b> , Sedgwick .....	Rep.	97	Retired
<b>Ousley, Jarrod</b> , Johnson .....	Dem.	24	Paint Contractor
<b>Patton, Fred</b> , Shawnee .....	Rep.	50	Attorney
<b>Pauls, Janice</b> , Reno .....	Rep.	102	Attorney
<b>Peck, Virgil</b> , Montgomery .....	Rep.	12	Insurance Agent
<b>Phillips, Tom</b> , Riley .....	Rep.	67	Community Devel. Consultant
<b>Powell, Randy</b> , Johnson .....	Rep.	30	Financial Advisor
<b>Proehl, Richard</b> , Labette .....	Rep.	7	Banker
<b>Read, Marty</b> , Linn .....	Rep.	4	Auctioneer/ Realtor/ Rancher
<b>Rhoades, Marc</b> , Harvey .....	Rep.	72	Small Business Owner
<b>Rooker, Melissa</b> , Johnson .....	Rep.	25	Retired film executive
<b>Rubin, John</b> , Johnson .....	Rep.	18	Attorney and Arbitrator
<b>Ruiz, Louis</b> , Wyandotte .....	Dem.	31	Retired; Lucent
<b>Ryckman, Ron</b> , Johnson .....	Rep.	78	Business Consultant/Contractor
<b>Ryckman Sr., Ronald</b> , Meade .....	Rep.	115	Retired Teacher/Coach
<b>Sawyer, Tom</b> , Sedgwick .....	Dem.	95	Accountant
<b>Scapa, Joseph</b> , Sedgwick .....	Rep.	88	Realtor
<b>Schroeder, Don</b> , McPherson .....	Rep.	74	Farmer
<b>Schwab, Scott</b> , Johnson .....	Rep.	49	Healthcare Sales
<b>Schwartz, Sharon</b> , Washington .....	Rep.	106	Business Manager
<b>Seiwert, Joe</b> , Reno .....	Rep.	101	Agricultural Business
<b>Sloan, Tom</b> , Douglas .....	Rep.	45	Farmer/Strategic Consultant
<b>Smith, Charles</b> , Crawford .....	Rep.	3	Teacher-Coach
<b>Suellentrop, Gene</b> , Sedgwick .....	Rep.	91	Business Owner
<b>Sutton, William</b> , Johnson .....	Rep.	43	Steelworker
<b>Swanson, Susie</b> , Clay .....	Rep.	64	Social Worker
<b>Thimesch, Jack</b> , Kingman .....	Rep.	114	Farmer/Construction
<b>Thompson, Kent</b> , Allen .....	Rep.	9	Real Estate/Rancher
<b>Tietze, Annie</b> , Shawnee .....	Dem.	53	Retired Teacher
<b>Todd, James</b> , Johnson .....	Rep.	29	Attorney at Law
<b>Trimmer, Ed</b> , Cowley .....	Dem.	79	Retired Teacher
<b>Vickrey, Jene</b> , Miami .....	Rep.	6	Floor Covering
<b>Victors, Ponka-We</b> , Sedgwick .....	Dem.	103	Community Support Worker
<b>Ward, Jim</b> , Sedgwick .....	Dem.	86	Attorney
<b>Waymaster, Troy</b> , Russell .....	Rep.	109	Farmer/Office Manager
<b>Whipple, Brandon</b> , Sedgwick .....	Dem.	96	Teacher
<b>Whitmer, John</b> , Sedgwick .....	Rep.	93	Small Business Owner
<b>Williams, Kristey</b> , Butler .....	Rep.	77	Former mayor/former teacher
<b>Wilson, John</b> , Douglas .....	Dem.	10	Training and Professional Development Manager
<b>Winn, Valdenia</b> , Wyandotte .....	Dem.	34	College Professor
<b>Wolfe Moore, Kathy</b> , Wyandotte .....	Dem.	36	Business Director/KU Hospital

\*Appointed to replace Representative Dannebohm March 23, 2015

**STANDING COMMITTEES OF THE HOUSE  
LEGISLATIVE SESSION, 2015**

**Agriculture and Natural Resources:** Schwartz, Chairperson; Boldra, Vice-chairperson; Clark, Concannon, Dierks, Ewy, Francis, Hibbard, Hildabrand, Moxley, Read, Schroeder, Seiwert, Sloan, Swanson, Thimesch, Waymaster.

Victors, Ranking Minority Member; Carlin, Lusker, Trimmer, Wilson.

**Appropriations:** Ryckman, Chairperson; Schwartz, Vice-chairperson; Barker, W. Carpenter, Claeys, Grosserode, Highland, Hill, Hoffman, Hutton, Kahrs, Kleeb, Lunn, Macheers, Peck, Proehl, Suellentrop, Waymaster.

Henry, Ranking Minority Member; Ballard, Carlin, Finney, Wolfe Moore.

**Calendar and Printing:** Vickrey, Chairperson; Merrick, Vice-chairperson; Goico, Mast. Burroughs, Ranking Minority Member; Ruiz.

**Children and Seniors:** O'Brien, Chairperson; Dove, Vice-chairperson; Davis, Gallagher, Garber, Kiegerl, Phillips, Rooker, Smith, Swanson.

Victors, Ranking Minority Member; Curtis, Ousley.

**Commerce, Labor and Economic Development:** Hutton, Chairperson; Mason, Vice-chairperson; Billinger, Brunk, W. Carpenter, Claeys, Corbet, Couture-Lovelady, Davis, Hemsley, Kleeb, Patton, Suellentrop.

Frownfelter, Ranking Minority Member; Ruiz, Tietze, Whipple.

**Corrections and Juvenile Justice:** Rubin, Chairperson; Gonzalez, Vice-chairperson; Alford, Anthimides, Becker, Finch, Jennings, Moxley, Pauls, Swanson.

Highberger, Ranking Minority Member; Finney, Kuether.

**Education:** Highland, Chairperson; Lunn, Vice-chairperson; Barker, Barton, Boldra, Bradford, Bruchman, Dierks, Dove, Ewy, Grosserode, Hedke, Macheers, Rhoades, Smith.

Winn, Ranking Minority Member; Bridges, Lusk, Trimmer.

**Elections:** Kahrs, Chairperson; Esau, Vice-chairperson; Campbell, Hildabrand, Huebert, O'Brien, Peck, Powell, Scapa, Whitmer.

Sawyer, Ranking Minority Member; Alcala, Carmichael.

**Energy and Environment:** Hedke, Chairperson; Corbet, Vice-chairperson; Barton, Bruchman, Esau, Jennings, Kelley, Kiegerl, Mason, McPherson, Moxley, Phillips, Powell, Sutton, Whitmer.

Kuether, Ranking Minority Member; Carmichael, Highberger, Lane.

**Federal and State Affairs:** Brunk, Chairperson; Couture-Lovelady, Vice-chairperson; Becker, Bradford, Clayton, Concannon, Estes, Ewy, Hemsley, Hildabrand, Hineman, Houser, D. Jones, Pauls, Read, Scapa, Todd, Williams.

Tietze, Ranking Minority Member; Henderson, Lusk, Wilson, Winn.

**Financial Institutions:** DeGraaf, Chairperson; Kelly, Vice-chairperson; Billinger, Bradford, Campbell, Esau, Goico, D. Jones, K. Jones, Scapa.

Frownfelter, Ranking Minority Member; Burroughs, Ousley.

**Health and Human Services:** Hawkins, Chairperson; Concannon, Vice-chairperson; Bollier, B. Carpenter, Edmonds, Estes, Hill, D. Jones, K. Jones, Kelly, Osterman, Schwab, Thompson.

Ward, Ranking Minority Member; Henderson, Houston, Wilson.

**Insurance:** Schwab, Chairperson; Bruchman, Vice-chairperson; Anthimides, Barton, DeGraaf, Doll, Dove, Goico, Hawkins, Hill.

Houston, Ranking Minority Member; Frownfelter, Henderson.

**Interstate Cooperation:** Merrick, Chairperson; Mast, Vice-chairperson; Goico, Vickrey. Burroughs, Ranking Minority Member; Tietze.

**Judiciary:** Barker, Chairperson; Macheers, Vice-chairperson; Alford, Becker, Couture-Lovelady, Davis, Finch, Hoffman, Hutchins, Kahrs, McPherson, Osterman, Patton, Pauls, Powell, Rubin, Todd, Whitmer.

Carmichael, Ranking Minority Member; Curtis, Highberger, Kuether, Ward.

**Legislative Budget (House):** Ryckman, Chairperson; Schwartz, Vice-chairperson; Goico, Mast, Merrick, Vickrey.

Burroughs, Ranking Minority Member; Ruiz.

**Local Government:** Huebert, Chairperson; Phillips, Vice-chairperson; Campbell, Esau, Francis, Houser, Kiegerl, Peck, Whitmer, Williams.

Alcala, Ranking Minority Member; Carmichael, Curtis.

**Pensions and Benefits:** Johnson, Chairperson; Thompson, Vice-chairperson; Billinger, Davis, Edmonds, Hawkins, K. Jones, Kelly, Peck, Rhoades.

Trimmer, Ranking Minority Member; Alcala, Ward.

**Rules and Journal:** Barker, Chairperson; Bruchman, Couture-Lovelady, Kahrs, Schwab. Sawyer, Vice-chairperson; Trimmer.

**Taxation:** Kleeb, Chairperson; Suellentrop, Vice-chairperson; Brunk, Corbet, Edmonds, Hedke, Hemsley, Highland, Hineman, Hutton, Johnson, Kelley, Lunn, Mason, Phillips, Rhoades, Ryckman Sr., Thompson.

Sawyer, Ranking Minority Member; Alcala, Bridges, Whipple, Wolfe Moore.

**Transportation:** Proehl, Chairperson; Ryckman Sr., Vice-chairperson; W. Carpenter, Doll, Goico, Kelley, Read, Rooker, Schwartz, Seiwert, Sloan, Thimesch, Todd.

Lusker, Ranking Minority Member; Ballard, Ousley, Victors.

**Utilities and Telecommunications:** Seiwert, Chairperson; Alford, Vice-chairperson; Anthimides, Boldra, Bruchman, Corbet, Doll, Finch, Gonzalez, Hibbard, Ryckman Sr., Schroeder, Schwab, Thimesch, Thompson.

Kuether, Ranking Minority Member; Frownfelter, Trimmer, Whipple.

**Veterans, Military and Homeland Security:** Goico, Chairperson; Osterman, Vice-chairperson; Barton, B. Carpenter, Clark, Dierks, Hutchins, K. Jones, Patton, Rubin.

Lane, Ranking Minority Member; Bridges, Lusker.

**Vision 2020:** Sloan, Chairperson; Campbell, Vice-chairperson; Bollier, Francis, Garber, O'Brien, Patton, Rooker, Swanson.

Curtis, Ranking Minority Member; Houston, Ousley.

### Budget Committees

**Agriculture and Natural Resources Budget:** Hoffman, Chairperson; Schroeder, Vice-chairperson; Clark, Clayton, Gallagher, Hibbard, Johnson.

Carlin, Ranking Minority Member; Henry.

**Education Budget:** Grosserode, Chairperson; Sutton, Vice-chairperson; Bollier, B. Carpenter, Huebert, O'Brien, Peck.

Winn, Ranking Minority Member; Henry.

**General Government Budget:** Waymaster, Chairperson; McPherson, Vice-chairperson; DeGraaf, Garber, Hineman, Hutchins, Sutton.  
Wolfe Moore, Ranking Minority Member; Lane.

**Social Services Budget:** W. Carpenter, Chairperson; Mast, Vice-chairperson; Clayton, Estes, Gallagher, Garber, Williams.  
Ballard, Ranking Minority Member; Lusk.

**Transportation and Public Safety Budget:** Claeys, Chairperson; Jennings, Vice-chairperson; Gonzalez, Houser, Proehl, Rooker, Smith.  
Finney, Ranking Minority Member; Tietze.

### JOINT COMMITTEES

**Administrative Rules and Regulations:** Schwartz, Chairperson; Huebert, Lunn, Pauls, Trimmer, Ward, Winn.  
Senate members: Schmidt, Vice-chairperson; Faust-Goudeau, Hawk, Love, Ostmeyer.

**Corrections and Juvenile Justice Oversight:** Carlin, DeGraaf, Gonzalez, Grosserode, Henry, Rubin, Ward.  
Senate members: Baumgardner, Fitzgerald, Haley, Knox, LaTurner, McGinn, Smith.

**Information Technology:** Hildabrand, Chairperson; Claeys, Esau, Whipple, Wilson.  
Senate members: Petersen, Vice-chairperson; Francisco, Holland, Love, Melcher.

**Kansas Security:** Goico, Chairperson; Bridges, K. Jones, Lane, Mast.  
Senate members: Smith, Vice-chairperson; Hensley, Holmes, Petersen, Pettey.

**Legislative Post Audit Committee:** Barker, Chairperson; Burroughs, Mast, Peck, Trimmer.  
Senate members: O'Donnell, Vice-chairperson; Hensley, Kelly, Longbine, Lynn.

**Pensions, Investments, and Benefits:** Johnson, Chairperson; Alcalá, Edmonds, Hawkins, Henry, Macheers, Suellentrop, Trimmer.  
Senate members: King, Vice-chairperson; Hensley, Holmes, Kelly, Masterson.

**Robert G. (Bob) Bethell Home and Community Based Services and KanCare Oversight:** Hawkins, Vice-chairperson; Ballard, W. Carpenter, Dove, Edmonds, Ward.  
Senate members: Pilcher-Cook, Chairperson; Denning, Francisco, O'Donnell.

**Special Claims Against the State:** Todd, Chairperson; Houser, McPherson, Wolfe Moore.  
Senate members: Kerschen, Vice-chairperson; Bruce, Haley.

**State -Tribal Relations:** Burroughs, Ewy, Macheers, Osterman, Victors.  
Senate members: Ostmeyer, Chairperson; Bowers, Haley, Knox, Pettey.

**State Building Construction:** Brunk, Chairperson; Alcalá, Alford, Hutton, Lusker.  
Senate members: Wolf, Vice-chairperson; Francisco, Kelly, Knox, Powell.

**Telecommunications Study Committee:** Seiwert, Chairperson; Alford, Bruchman, W. Carpenter, Doll, Gonzalez, Kuether, Ryckman Sr., Schwab, Thimesch, Whipple.  
Senate members: Olson, Chairperson; Francisco, Hawk, Knox, Longbine, Lynn, Petersen, Smith, Wilborn.

## INDIVIDUAL HOUSE MEMBER INFORMATION

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<b>Alcala, John</b>	<b>Office 173-W</b>	<b>785 296-7371</b>	
<b>First Session: 2013</b>	<b>District: 57</b>	<b>Democrat</b>	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	*RM Member	1:30 pm Tue/Thu	281-N
Taxation	Member	3:30 pm Daily	582-N
Pensions, Investments, and Benefits	Member	On Call	On Call
State Building Construction	Member	On Call	On Call
<b>Alford, Steve</b>	<b>Office 187-N</b>	<b>785 296-7641</b>	
<b>First Session: 2011</b>	<b>District: 124</b>	<b>Republican</b>	
Utilities and Telecommunications	Vice-Chair	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
State Building Construction	Member	On Call	On Call
Telecommunications Study Comm.	Member	On Call	On Call
<b>Anthimides, Steven</b>	<b>Office 166-W</b>	<b>785-296-7665</b>	
<b>First Session: 2014</b>	<b>District: 98</b>	<b>Republican</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
<b>Ballard, Barbara</b>	<b>Office 451-S</b>	<b>785 296-7697</b>	
<b>First Session: 1993</b>	<b>District: 44</b>	<b>Democrat</b>	
Appropriations	Member	9:00 am Daily	112-N
Transportation	Member	1:30 pm Daily	582-N
Social Services Budget	*RM Member	3:30 pm Daily	144-S
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Member	On Call	On Call
<b>Barker, John</b>	<b>Office 149-S</b>	<b>785 296-7674</b>	
<b>First Session: 2013</b>	<b>District: 70</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Judiciary	Chair	3:30 pm Daily	112-N
Legislative Post Audit Committee	Chair	On Call	On Call
Rules and Journal	Chair	On Call	On Call
<b>Barton, Tony</b>	<b>Office 559-W</b>	<b>785-296-7522</b>	
<b>First Session: 2015</b>	<b>District: 41</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Insurance	Member	3:30 pm Mon/Wed	152-S

<b>Becker, Steven</b>	<b>Office 512-N</b>	<b>785 296-7196</b>	
<b>First Session: 2013</b>	<b>District: 104</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
<b>Billinger, Rick</b>	<b>Office 168-W</b>	<b>785 296-7636</b>	
<b>First Session: 2011-2012; 2015</b>	<b>District: 120</b>	<b>Republican</b>	
Pensions and Benefits	Member	9:00 Mon/Wed	152-S
Commerce, Labor and Economic Development	Member	1:30 Daily	346-S
Financial Institutions	Member	3:30 Tue/Thu	152-S
<b>Boldra, Sue</b>	<b>Office 352-S</b>	<b>785 296-4683</b>	
<b>First Session: 2013</b>	<b>District: 111</b>	<b>Republican</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Vice-Chair	3:30 pm Daily	346-S
<b>Bollier, Barbara</b>	<b>Office 168-W</b>	<b>785 296-7686</b>	
<b>First Session: 2010</b>	<b>District: 21</b>	<b>Republican</b>	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Health and Human Services	Member	1:30 pm Daily	546-S
Education Budget	Member	3:30 pm Daily	281-N
<b>Bradford, John</b>	<b>Office 176-W</b>	<b>785 296-7653</b>	
<b>First Session: 2013</b>	<b>District: 40</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	Member	1:30 pm Daily	112-N
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
<b>Bridges, Carolyn</b>	<b>Office 451-S</b>	<b>785 296-7649</b>	
<b>First Session: 2013</b>	<b>District: 83</b>	<b>Democrat</b>	
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
Kansas Security	Member	On Call	On Call
<b>Bruchman, Rob</b>	<b>Office 561-W</b>	<b>785 296-7644</b>	
<b>First Session: 2011</b>	<b>District: 20</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Insurance	Vice-Chair	3:30 pm Mon/Wed	152-S
Rules and Journal	Member	On Call	On Call
Telecommunications Study Comm.	Member	On Call	On Call



COMMITTEE AND MEMBER INFORMATION

<b>Brunk, Steve</b>	<b>Office 285-N</b>	<b>785 296-7645</b>	
<b>First Session: 2003</b>	<b>District: 85</b>	<b>Republican</b>	
Federal and State Affairs	Chair	9:00 am Daily	346-S
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
State Building Construction	Chair	On Call	On Call
<b>Burroughs, Tom</b>	<b>Office 359-W</b>	<b>785-296-7630</b>	
<b>First Session: 1997</b>	<b>District: 33</b>	<b>Democrat</b>	
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Calendar and Printing	*RM Member	On Call	On Call
Interstate Cooperation	*RM Member	On Call	On Call
State -Tribal Relations	Member	On Call	On Call
Legislative Budget (House)	*RM Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call
<b>Campbell, Larry</b>	<b>Office 452-S</b>	<b>785 296-7632</b>	
<b>First Session: 1997-2004; 2013</b>	<b>District: 26</b>	<b>Republican</b>	
Vision 2020	Vice-Chair	9:00 am Mon/Wed	218-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
<b>Carlin, Sydney</b>	<b>Office 451-S</b>	<b>785 296-7657</b>	
<b>First Session: 2003</b>	<b>District: 66</b>	<b>Democrat</b>	
Appropriations	Member	9:00 am Daily	112-N
Ag. & Natural Resources Budget	*RM Member	1:30 pm Daily	142-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Corr. & Juv. Justice Oversight	Member	On Call	On Call
<b>Carmichael, John</b>	<b>Office 451-S</b>	<b>785-296-7650</b>	
<b>First Session: 2014</b>	<b>District: 92</b>	<b>Democrat</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Judiciary	*RM Member	3:30 pm Daily	112-N
<b>Carpenter, Blake</b>	<b>Office 167-W</b>	<b>785-296-7567</b>	
<b>First Session: 2015</b>	<b>District: 81</b>	<b>Republican</b>	
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Education Budget	Member	3:30 pm Daily	281-N
<b>Carpenter, Will</b>	<b>Office 352-S</b>	<b>785 296-7673</b>	
<b>First Session: 2013</b>	<b>District: 75</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Transportation	Member	1:30 pm Daily	582-N

Social Services Budget	Chair	3:30 pm	Daily	144-S
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Member		On Call	On Call
Telecommunications Study Comm.	Member		On Call	On Call
<b>Claeys, J. R.</b>	<b>Office 274-W</b>	<b>785 296-7670</b>		
<b>First Session: 2013</b>	<b>District: 69</b>	<b>Republican</b>		
Appropriations	Member	9:00 am	Daily	112-N
Commerce, Labor & Econ. Devel.	Member	1:30 pm	Daily	346-S
Trans. & Public Safety Budget	Chair	3:30 pm	Daily	142-S
Information Technology	Member		On Call	On Call
<b>Clark, Lonnie</b>	<b>Office 352-S</b>	<b>785-296-7483</b>		
<b>First Session: 2015</b>	<b>District: 65</b>	<b>Republican</b>		
Vet., Military & Homeland Sec.	Member	9:00 am	Tue/Thu	152-S
Ag. & Natural Resources Budget	Member	1:30 pm	Daily	142-S
Agriculture and Natural Resources	Member	3:30 pm	Daily	346-S
<b>Clayton, Stephanie</b>	<b>Office 167-W</b>	<b>785 296-7548</b>		
<b>First Session: 2013</b>	<b>District: 19</b>	<b>Republican</b>		
Federal and State Affairs	Member	9:00 am	Daily	346-S
Ag. & Natural Resources Budget	Member	1:30 pm	Daily	142-S
Social Services Budget	Member	3:30 pm	Daily	144-S
<b>Concannon, Susan</b>	<b>Office 519-N</b>	<b>785 296-7677</b>		
<b>First Session: 2013</b>	<b>District: 107</b>	<b>Republican</b>		
Federal and State Affairs	Member	9:00 am	Daily	346-S
Health and Human Services	Vice-Chair	1:30 pm	Daily	546-S
Agriculture and Natural Resources	Member	3:30 pm	Daily	346-S
<b>Corbet, Ken</b>	<b>Office 179-N</b>	<b>785 296-7679</b>		
<b>First Session: 2013</b>	<b>District: 54</b>	<b>Republican</b>		
Energy and Environment	Vice-Chair	9:00 am	Mon/Wed	582-N
Utilities and Telecommunications	Member	9:00 am	Tue/Thu	582-N
Commerce, Labor & Econ. Devel.	Member	1:30 pm	Daily	346-S
Taxation	Member	3:30 pm	Daily	582-N
<b>Couture-Lovelady, Travis</b>	<b>Office 352-S</b>	<b>785 296-4683</b>		
<b>First Session: 2013</b>	<b>District: 110</b>	<b>Republican</b>		
Federal and State Affairs	Vice-Chair	9:00 am	Daily	346-S
Commerce, Labor & Econ. Devel.	Member	1:30 pm	Daily	346-S
Judiciary	Member	3:30 pm	Daily	112-N
Rules and Journal	Member		On Call	On Call
<b>Curtis, Pam</b>	<b>Office 173-W</b>	<b>785-296-7371</b>		
<b>First Session: 2014</b>	<b>District: 32</b>	<b>Democrat</b>		
Children and Seniors	Member	9:00 am	Tue/Thu	218-N
Vision 2020	*RM Member	9:00 am	Mon/Wed	218-N
Local Government	Member	1:30 pm	Tue/Thu	281-N

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Judiciary	Member	3:30 pm Daily	112-N
<b>Davis, Erin</b>	<b>Office 519-N</b>	<b>785-296-3971</b>	
<b>First Session: 2014</b>	<b>District: 15</b>	<b>Republican</b>	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	112-N
<b>DeGraaf, Pete</b>	<b>Office 458-W</b>	<b>785 296-7693</b>	
<b>First Session: 2009</b>	<b>District: 82</b>	<b>Republican</b>	
General Government Budget	Member	1:30 pm Daily	218-N
Financial Institutions	Chair	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Corr. & Juv. Justice Oversight	Member	On Call	On Call
<b>Dierks, Diana</b>	<b>Office 519-N</b>	<b>785 296-7642</b>	
<b>First Session: 2013</b>	<b>District: 71</b>	<b>Republican</b>	
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
<b>Doll, John</b>	<b>Office 512-N</b>	<b>785 296-7380</b>	
<b>First Session: 2013</b>	<b>District: 123</b>	<b>Republican</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Insurance	Member	3:30 pm Mon/Wed	152-S
Telecommunications Study Comm.	Member	On Call	
<b>Dove, Willie</b>	<b>Office 352-S</b>	<b>785 296-7658</b>	
<b>First Session: 2013</b>	<b>District: 38</b>	<b>Republican</b>	
Children and Seniors	Vice-Chair	9:00 am Tue/Thu	218-N
Education	Member	1:30 pm Daily	112-N
Insurance	Member	3:30 pm Mon/Wed	152-S
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Member	On Call	On Call
<b>Edmonds, John</b>	<b>Office 452-S</b>	<b>785 296-5593</b>	
<b>First Session: 1995-2006; 2013</b>	<b>District: 112</b>	<b>Republican</b>	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	582-N
Pensions, Investments, and Benefits	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Member	On Call	On Call

<b>Esau, Keith</b>	<b>Office 47-S</b>	<b>785 296-7688</b>	
<b>First Session: 2013</b>	<b>District: 14</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Elections	Vice-Chair	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Information Technology	Member	On Call	On Call
<b>Estes, Bud</b>	<b>Office 512-N</b>	<b>785-296-6287</b>	
<b>First Session: 2013</b>	<b>District: 119</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Social Services Budget	Member	3:30 pm Daily	144-S
<b>Ewy, John</b>	<b>Office 512-N</b>	<b>785 296-7105</b>	
<b>First Session: 2013</b>	<b>District: 117</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
State -Tribal Relations	Member	On Call	On Call
<b>Finch, Blaine</b>	<b>Office 167-W</b>	<b>785 296-7655</b>	
<b>First Session: 2013</b>	<b>District: 59</b>	<b>Republican</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
<b>Finney, Gail</b>	<b>Office 174-W</b>	<b>785 296-7668</b>	
<b>First Session: 2009</b>	<b>District: 84</b>	<b>Democrat</b>	
Appropriations	Member	9:00 am Daily	112-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Trans.& Public Safety Budget	*RM Member	3:30 pm Daily	142-S
<b>Francis, Shannon</b>	<b>Office 167-W</b>	<b>785-296-7655</b>	
<b>First Session: 2015</b>	<b>District: 125</b>	<b>Republican</b>	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
<b>Frownfelter, Stan</b>	<b>Office 174-W</b>	<b>785 296-7691</b>	
<b>First Session: 2007</b>	<b>District: 37</b>	<b>Democrat</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Commerce, Labor & Econ. Devel.	*RM Member	1:30 pm Daily	346-S
Financial Institutions	*RM Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S

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<b>Gallagher, Linda</b>	<b>Office 167-W</b>	<b>785-296-7548</b>	
<b>First Session: 2015</b>	<b>District: 23</b>	<b>Republican</b>	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Ag. & Natural Resources Budget	Member	1:30 pm Daily	142-S
Social Services Budget	Member	3:30 pm Daily	144-S
<b>Garber, Randy</b>	<b>Office 166-W</b>	<b>785 296-7665</b>	
<b>First Session: 2011</b>	<b>District: 62</b>	<b>Republican</b>	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
General Government Budget	Member	1:30 pm Daily	218-N
Social Services Budget	Member	3:30 pm Daily	144-S
<b>Goico, Mario</b>	<b>Office 276-W</b>	<b>785 296-7663</b>	
<b>First Session: 2003</b>	<b>District: 94</b>	<b>Republican</b>	
Vet., Military & Homeland Sec.	Chair	9:00 am Tue/Thu	152-S
Transportation	Member	1:30 pm Daily	582-N
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Member	On Call	On Call
Kansas Security	Chair	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
<b>Gonzalez, Ramon</b>	<b>Office 512-N</b>	<b>785 296-7500</b>	
<b>First Session: 2011</b>	<b>District: 47</b>	<b>Republican</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Vice-Chair	1:30 pm Daily	152-S
Trans. & Public Safety Budget	Member	3:30 pm Daily	142-S
Corr. & Juv. Justice Oversight	Member	On Call	On Call
Telecommunications Study Comm.	Member	On Call	On Call
<b>Grosserode, Amanda</b>	<b>Office 274-W</b>	<b>785 296-7659</b>	
<b>First Session: 2011</b>	<b>District: 16</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Education Budget	Chair	3:30 pm Daily	281-N
Corr. & Juv. Justice Oversight	Member	On Call	On Call
<b>Hawkins, Daniel</b>	<b>Office 521-E</b>	<b>785 296-7631</b>	
<b>First Session: 2013</b>	<b>District: 100</b>	<b>Republican</b>	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	Chair	1:30 pm Daily	546-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Pensions, Investments, and Benefits	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Vice-Chair	On Call	On Call

<b>Hedke, Dennis</b>	<b>Office 581-W</b>	<b>785 296-7699</b>	
<b>First Session: 2011</b>	<b>District: 99</b>	<b>Republican</b>	
Energy and Environment	Chair	9:00 am Mon/Wed	582-N
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
<b>Hemsley, Lane</b>	<b>Office 165-W</b>	<b>785-296-7460</b>	
<b>First Session: 2015</b>	<b>District: 56</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
<b>Henderson, Broderick</b>	<b>Office 451-S</b>	<b>785 296-7697</b>	
<b>First Session: 1995</b>	<b>District: 35</b>	<b>Democrat</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance	Member	3:30 pm Mon/Wed	152-S
<b>Henry, Jerry</b>	<b>Office 451-S</b>	<b>785 296-7650</b>	
<b>First Session: 1993</b>	<b>District: 63</b>	<b>Democrat</b>	
Appropriations	*RM Member	9:00 am Daily	112-N
Ag. & Natural Resources Budget	Member	1:30 pm Daily	142-S
Education Budget	Member	3:30 pm Daily	281-N
Corr. & Juv. Justice Oversight	Member	On Call	On Call
Pensions, Investments, and Benefits	Member	On Call	On Call
<b>Hibbard, Larry</b>	<b>Office 512-N</b>	<b>785 296-7380</b>	
<b>First Session: 2013</b>	<b>District: 13</b>	<b>Republican</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Ag. & Natural Resources Budget	Member	1:30 pm Daily	142-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
<b>Highberger, Dennis "Boog"</b>	<b>Office 174-W</b>	<b>785-296-7122</b>	
<b>First Session: 2015</b>	<b>District: 46</b>	<b>Democrat</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	*RM Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
<b>Highland, Ron</b>	<b>Office 561-W</b>	<b>785 296-7310</b>	
<b>First Session: 2013</b>	<b>District: 51</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Education	Chair	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
<b>Hildabrand, Brett</b>	<b>Office 274-W</b>	<b>785 296-7331</b>	
<b>First Session: 2011</b>	<b>District: 17</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Elections	Member	1:30 pm Mon/Wed	281-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S

COMMITTEE AND MEMBER INFORMATION

Information Technology	Chair	On Call	On Call
<b>Hill, Don</b>	<b>Office 452-S</b>	<b>785 296-7632</b>	
<b>First Session: 2003</b>	<b>District: 60</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance	Member	3:30 pm Mon/Wed	152-S
<b>Hineman, Don</b>	<b>Office 50-S</b>	<b>785 296-7636</b>	
<b>First Session: 2009</b>	<b>District: 118</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
General Government Budget	Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	582-N
<b>Hoffman, Kyle</b>	<b>Office 481-W</b>	<b>785 296-7643</b>	
<b>First Session: 2011</b>	<b>District: 116</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Ag. & Natural Resources Budget	Chair	1:30 pm Daily	142-S
Judiciary	Member	3:30 pm Daily	112-N
<b>Houser, Michael</b>	<b>Office 179-N</b>	<b>785 296-7679</b>	
<b>First Session: 2013</b>	<b>District: 1</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Local Government	Member	1:30 pm Tue/Thu	281-N
Trans. & Public Safety Budget	Member	3:30 pm Daily	142-S
Special Claims Against the State	Member	On Call	On Call
<b>Houston, Roderick</b>	<b>Office 54-S</b>	<b>785 296-7652</b>	
<b>First Session: 2013</b>	<b>District: 89</b>	<b>Democrat</b>	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance	*RM Member	3:30 pm Mon/Wed	152-S
<b>Huebert, Steve</b>	<b>Office 149-S</b>	<b>785 296-1754</b>	
<b>First Session: 2001</b>	<b>District: 90</b>	<b>Republican</b>	
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Chair	1:30 pm Tue/Thu	281-N
Education Budget	Member	3:30 pm Daily	281-N
Admin. Rules & Regulations	Member	On Call	On Call
<b>Hutchins, Becky</b>	<b>Office 176-W</b>	<b>785-296-7653</b>	
<b>First Session: 1995-2006; 2015</b>	<b>District: 61</b>	<b>Republican</b>	
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
General Government Budget	Member	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N

<b>Hutton, Mark</b>	<b>Office 521-E</b>	<b>785 296-7488</b>	
<b>First Session: 2013</b>	<b>District: 105</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor & Econ. Devel.	Chair	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
State Building Construction	Member	On Call	On Call
<b>Jennings, Russell</b>	<b>Office 512-N</b>	<b>785 296-7196</b>	
<b>First Session: 2013</b>	<b>District: 122</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Trans. & Public Safety Budget	Vice-Chair	3:30 pm Daily	142-S
<b>Johnson, Steven</b>	<b>Office 286-N</b>	<b>785 296-7696</b>	
<b>First Session: 2011</b>	<b>District: 108</b>	<b>Republican</b>	
Pensions and Benefits	Chair	9:00 am Mon/Wed	152-S
Ag. & Natural Resources Budget	Member	1:30 pm Daily	142-S
Taxation	Member	3:30 pm Daily	582-N
Pensions, Investments, and Benefits	Chair	On Call	On Call
<b>Jones, Dick</b>	<b>Office 352-S</b>	<b>785-296-7483</b>	
<b>First Session: 2015</b>	<b>District: 52</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
<b>Jones, Kevin</b>	<b>Office 512-N</b>	<b>785 296-6287</b>	
<b>First Session: 2013</b>	<b>District: 5</b>	<b>Republican</b>	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Kansas Security	Member	On Call	On Call
<b>Kahrs, Mark</b>	<b>Office 286-N</b>	<b>785 296-7476</b>	
<b>First Session: 2013</b>	<b>District: 87</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Elections	Chair	1:30 pm Mon/Wed	281-N
Judiciary	Member	3:30 pm Daily	112-N
Rules and Journal	Member	On Call	On Call
<b>Kelley, Kasha</b>	<b>Office 459-W</b>	<b>785 296-7671</b>	
<b>First Session: 2005</b>	<b>District: 80</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Transportation	Member	1:30 pm Daily	582-N
Taxation	Member	3:30 pm Daily	582-N



COMMITTEE AND MEMBER INFORMATION

<b>Kelly, Jim</b> <b>First Session: 2011</b> Pensions and Benefits Health and Human Services Financial Institutions	<b>Office 512-N</b> <b>District: 11</b> Member Member Vice-Chair	<b>785 296-6014</b> <b>Republican</b> 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Tue/Thu	152-S 546-S 152-S
<b>Kiegerl, Mike</b> <b>First Session: 2005-2012;2014</b> Children and Seniors Energy and Environment Local Government	<b>Office 50-S</b> <b>District: 121</b> Member Member Member	<b>785-296-7636</b> <b>Republican</b> 9:00 am Tue/Thu 9:00 am Mon/Wed 1:30 pm Tue/Thu	218-N 582-N 281-N
<b>Kleeb, Marvin</b> <b>First Session: 2009</b> Appropriations Commerce, Labor & Econ. Devel. Taxation	<b>Office 185-N</b> <b>District: 48</b> Member Member Chair	<b>785 296-7680</b> <b>Republican</b> 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	112-N 346-S 582-N
<b>Kuether, Annie</b> <b>First Session: 1997</b> Energy and Environment Utilities and Telecommunications Corrections and Juvenile Justice Judiciary Telecommunications Study Comm.	<b>Office 43-S</b> <b>District: 55</b> *RM Member *RM Member Member Member Member	<b>785 296-7669</b> <b>Democrat</b> 9:00 am Mon/Wed 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily On Call	582-N 582-N 152-S 112-N On Call
<b>Lane, Harold</b> <b>First Session: 2003</b> Energy and Environment Vet., Military & Homeland Sec. General Government Budget Kansas Security	<b>Office 451-S</b> <b>District: 58</b> Member *RM Member Member Member	<b>785 296-7649</b> <b>Democrat</b> 9:00 am Mon/Wed 9:00 am Tue/Thu 1:30 pm Daily On Call	582-N 152-S 218-N On Call
<b>+Lewis, Greg</b> <b>First Session: 2015</b> No committee assignments	<b>Office 166-W</b> <b>District: 113</b>	<b>785-296-7682</b> <b>Republican</b>	
<b>Lunn, Jerry</b> <b>First Session: 2013</b> Appropriations Education Taxation Admin. Rules & Regulations	<b>Office 151-S</b> <b>District: 28</b> Member Vice-Chair Member Member	<b>785 296-7675</b> <b>Republican</b> 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call	112-N 112-N 582-N On Call
<b>Lusk, Nancy</b> <b>First Session: 2013</b> Federal and State Affairs Education Social Services Budget	<b>Office 54-S</b> <b>District: 22</b> Member Member Member	<b>785 296-7651</b> <b>Democrat</b> 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 112-N 144-S

<b>Lusker, Adam</b>	<b>Office 43-S</b>	<b>785-296-7698</b>	
<b>First Session: 2014</b>	<b>District: 2</b>	<b>Democrat</b>	
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
Transportation	*RM Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
State Building Construction	Member	On Call	On Call
<b>Macheers, Charles</b>	<b>Office 151-S</b>	<b>785 296-7675</b>	
<b>First Session: 2013</b>	<b>District: 39</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Judiciary	Vice-Chair	3:30 pm Daily	112-N
Pensions, Investments, and Benefits	Member	On Call	On Call
State -Tribal Relations	Member	On Call	On Call
<b>Mason, Les</b>	<b>Office 268-W</b>	<b>785-296-7640</b>	
<b>First Session: 2014</b>	<b>District: 73</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Commerce, Labor & Econ. Devel.	Vice-Chair	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
<b>Mast, Peggy</b>	<b>Office 381-W</b>	<b>785-291-3500</b>	
<b>First Session: 1997</b>	<b>District: 76</b>	<b>Republican</b>	
Social Services Budget	Vice-Chair	3:30 pm Daily	144-S
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Vice-Chair	On Call	On Call
Kansas Security	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call
<b>McPherson, Craig</b>	<b>Office 268-W</b>	<b>785 296-7695</b>	
<b>First Session: 2013</b>	<b>District: 8</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
General Government Budget	Vice-Chair	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N
Special Claims Against the State	Member	On Call	On Call
<b>Merrick, Ray</b>	<b>Office 370-W</b>	<b>785-296-2302</b>	
<b>First Session: 2000-2010; 2013</b>	<b>District: 27</b>	<b>Republican</b>	
Calendar and Printing	Vice-Chair	On Call	On Call
Interstate Cooperation	Chair	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Vice-Chair	On Call	On Call
<b>Moxley, Tom</b>	<b>Office 512-N</b>	<b>785 296-7689</b>	
<b>First Session: 2007</b>	<b>District: 68</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S

COMMITTEE AND MEMBER INFORMATION

Agriculture and Natural Resources Member 3:30 pm Daily 346-S

**O'Brien, Connie** **Office 187-N** **785 296-7683**  
**First Session: 2009** **District: 42** **Republican**  
 Children and Seniors Chair 9:00 am Tue/Thu 218-N  
 Vision 2020 Member 9:00 am Mon/Wed 218-N  
 Elections Member 1:30 pm Mon/Wed 281-N  
 Education Budget Member 3:30 pm Daily 281-N

**Osterman, Les** **Office 512-N** **785 296-7689**  
**First Session: 2011** **District: 97** **Republican**  
 Vet., Military & Homeland Sec. Vice-Chair 9:00 am Tue/Thu 152-S  
 Health and Human Services Member 1:30 pm Daily 546-S  
 Judiciary Member 3:30 pm Daily 112-N  
 State -Tribal Relations Member On Call On Call

**Ousley, Jarrod** **Office 173-W** **785-296-7366**  
**First Session: 2014** **District: 24** **Democrat**  
 Children and Seniors Member 9:00 am Tue/Thu 218-N  
 Vision 2020 Member 9:00 am Mon/Wed 218-N  
 Transportation Member 1:30 pm Daily 582-N  
 Financial Institutions Member 3:30 pm Tue/Thu 152-S

**Patton, Fred** **Office 165-W** **785-296-7460**  
**First Session: 2015** **District: 50** **Republican**  
 Vet., Military & Homeland Sec. Member 9:00 am Tue/Thu 152-S  
 Vision 2020 Member 9:00 am Mon/Wed 218-N  
 Commerce, Labor & Econ. Devel. Member 1:30 pm Daily 346-S  
 Judiciary Member 3:30 pm Daily 112-N

**Pauls, Janice** **Office 47-S** **785 296-7688**  
**First Session: 1992** **District: 102** **Republican**  
 Federal and State Affairs Member 9:00 am Daily 346-S  
 Corrections and Juvenile Justice Member 1:30 pm Daily 152-S  
 Judiciary Member 3:30 pm Daily 112-N  
 Admin. Rules & Regulations Member On Call On Call

**Peck, Virgil** **Office 187-N** **785 296-7641**  
**First Session: 2005** **District: 12** **Republican**  
 Appropriations Member 9:00 am Daily 112-N  
 Pensions and Benefits Member 9:00 am Mon/Wed 152-S  
 Elections Member 1:30 pm Mon/Wed 281-N  
 Local Government Member 1:30 pm Tue/Thu 281-N  
 Education Budget Member 3:30 pm Daily 281-N  
 Legislative Post Audit Committee Member On Call On Call

**Phillips, Tom** **Office 512-N** **785 296-6014**  
**First Session: 2012** **District: 67** **Republican**  
 Children and Seniors Member 9:00 am Tue/Thu 218-N

Energy and Environment	Member	9:00 am Mon/Wed	582-N
Local Government	Vice-Chair	1:30 pm Tue/Thu	281-N
Taxation	Member	3:30 pm Daily	582-N
<b>Powell, Randy</b>	<b>Office 452-S</b>	<b>785-296-5593</b>	
<b>First Session: 2015</b>	<b>District: 30</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Elections	Member	1:30 pm Mon/Wed	281-N
Judiciary	Member	3:30 pm Daily	112-N
<b>Proehl, Richard</b>	<b>Office 581-W</b>	<b>785 296-7639</b>	
<b>First Session: 2005</b>	<b>District: 7</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Transportation	Chair	1:30 pm Daily	582-N
Trans. & Public Safety Budget	Member	3:30 pm Daily	142-S
<b>Read, Marty</b>	<b>Office 561-W</b>	<b>785 296-7644</b>	
<b>First Session: 2013</b>	<b>District: 4</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
<b>Rhoades, Marc</b>	<b>Office 459-W</b>	<b>785 296-7671</b>	
<b>First Session: 2007</b>	<b>District: 72</b>	<b>Republican</b>	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
<b>Rooker, Melissa</b>	<b>Office 168-W</b>	<b>785 296-7686</b>	
<b>First Session: 2013</b>	<b>District: 25</b>	<b>Republican</b>	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
Transportation	Member	1:30 pm Daily	582-N
Trans. & Public Safety Budget	Member	3:30 pm Daily	142-S
<b>Rubin, John</b>	<b>Office 151-S</b>	<b>785 296-7690</b>	
<b>First Session: 2011</b>	<b>District: 18</b>	<b>Republican</b>	
Vet., Military & Homeland Sec.	Member	9:00 am Tue/Thu	152-S
Corrections and Juvenile Justice	Chair	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
Corr. & Juv. Justice Oversight	Member	On Call	On Call
<b>Ruiz, Louis</b>	<b>Office 359-W</b>	<b>785 296-7630</b>	
<b>First Session: 2005</b>	<b>District: 31</b>	<b>Democrat</b>	
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Calendar and Printing	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call

COMMITTEE AND MEMBER INFORMATION

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<b>Ryckman, Ron</b> <b>First Session: 2013</b> Appropriations Legislative Budget (House)	<b>Office 111-N</b> <b>District: 78</b> Chair Chair	<b>785 296-5481</b> <b>Republican</b> 9:00 am Daily On Call	112-N On Call
<b>Ryckman Sr., Ronald</b> <b>First Session: 2011</b> Utilities and Telecommunications Transportation Taxation Telecommunications Study Comm.	<b>Office 352-S</b> <b>District: 115</b> Member Vice-Chair Member Member	<b>785 296-7658</b> <b>Republican</b> 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily On Call	582-N 582-N 582-N On Call
<b>Sawyer, Tom</b> <b>First Session: 1987-1998; 2003-2009; 2013</b> Elections Taxation Rules and Journal	<b>Office 174-W</b> <b>District: 95</b> *RM Member *RM Member Vice-Chair	<b>785 296-7691</b> <b>Democrat</b> 1:30 pm Mon/Wed 3:30 pm Daily On Call	281-N 582-N On Call
<b>Scapa, Joseph</b> <b>First Session: 2011-2012; 2015</b> Federal and State Affairs Elections Financial Institutions	<b>Office 166-W</b> <b>District: 88</b> Member Member Member	<b>785-296-7682</b> <b>Republican</b> 9:00 am Daily 1:30 pm Mon/Wed 3:30 pm Tue/Thu	346-S 281-N 152-S
<b>Schroeder, Don</b> <b>First Session: 2007</b> Utilities and Telecommunications Ag. & Natural Resources Budget Agriculture and Natural Resources	<b>Office 512-N</b> <b>District: 74</b> Member Vice-Chair Member	<b>785 296-7500</b> <b>Republican</b> 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	582-N 142-S 346-S
<b>Schwab, Scott</b> <b>First Session: 2003</b> Utilities and Telecommunications Health and Human Services Insurance Rules and Journal Telecommunications Study Comm.	<b>Office 151-S</b> <b>District: 49</b> Member Member Chair Member Member	<b>785 296-7501</b> <b>Republican</b> 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Mon/Wed On Call On Call	582-N 546-S 152-S On Call On Call
<b>Schwartz, Sharon</b> <b>First Session: 1997</b> Appropriations Transportation Agriculture and Natural Resources Admin. Rules & Regulations Legislative Budget (House)	<b>Office 149-S</b> <b>District: 106</b> Vice-Chair Member Chair Chair Vice-Chair	<b>785 296-7637</b> <b>Republican</b> 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call On Call	112-N 582-N 346-S On Call On Call

<b>Seiwert, Joe</b>	<b>Office 481-W</b>	<b>785 296-7647</b>	
<b>First Session: 2009</b>	<b>District: 101</b>	<b>Republican</b>	
Utilities and Telecommunications	Chair	9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Telecommunications Study Comm.	Chair	On Call	On Call
<b>Sloan, Tom</b>	<b>Office 149-S</b>	<b>785 296-7654</b>	
<b>First Session: 1995</b>	<b>District: 45</b>	<b>Republican</b>	
Vision 2020	Chair	9:00 am Mon/Wed	218-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
<b>Smith, Charles</b>	<b>Office 559-W</b>	<b>785-296-7522</b>	
<b>First Session: 2015</b>	<b>District: 3</b>	<b>Republican</b>	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Education	Member	1:30 pm Daily	112-N
Trans. & Public Safety Budget	Member	3:30 pm Daily	142-S
<b>Suellentrop, Gene</b>	<b>Office 186-N</b>	<b>785 296-7681</b>	
<b>First Session: 2010</b>	<b>District: 91</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Taxation	Vice-Chair	3:30 pm Daily	582-N
Pensions, Investments, and Benefits	Member	On Call	On Call
<b>Sutton, William</b>	<b>Office 168-W</b>	<b>785 296-7676</b>	
<b>First Session: 2013</b>	<b>District: 43</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
General Government Budget	Member	1:30 pm Daily	218-N
Education Budget	Vice-Chair	3:30 pm Daily	281-N
<b>Swanson, Susie</b>	<b>Office 519-N</b>	<b>785-296-7642</b>	
<b>First Session: 2015</b>	<b>District: 64</b>	<b>Republican</b>	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
<b>Thimesch, Jack</b>	<b>Office 512-N</b>	<b>785 296-7105</b>	
<b>First Session: 2013</b>	<b>District: 114</b>	<b>Republican</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Telecommunications Study Comm.	Member	On Call	On Call

COMMITTEE AND MEMBER INFORMATION

<b>Thompson, Kent</b>	<b>Office 268-W</b>	<b>785-296-7640</b>	
<b>First Session: 2014</b>	<b>District: 9</b>	<b>Republican</b>	
Pensions and Benefits	Vice-Chair	9:00 am Mon/Wed	152-S
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	582-N
<b>Tietze, Annie</b>	<b>Office 174-W</b>	<b>785 296-7668</b>	
<b>First Session: 2007</b>	<b>District: 53</b>	<b>Democrat</b>	
Federal and State Affairs	*RM Member	9:00 am Daily	346-S
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Trans. & Public Safety Budget	Member	3:30 pm Daily	142-S
Interstate Cooperation	Member	On Call	On Call
<b>Todd, James</b>	<b>Office 268-W</b>	<b>785 296-7695</b>	
<b>First Session: 2013</b>	<b>District: 29</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Judiciary	Member	3:30 pm Daily	112-N
Special Claims Against the State	Chair	On Call	On Call
<b>Trimmer, Ed</b>	<b>Office 174-W</b>	<b>785 296-7122</b>	
<b>First Session: 2005</b>	<b>District: 79</b>	<b>Democrat</b>	
Pensions and Benefits	*RM Member	9:00 am Mon/Wed	152-S
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Admin. Rules & Regulations	Member	On Call	On Call
Pensions, Investments, and Benefits	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call
<b>Vickrey, Jene</b>	<b>Office 372-W</b>	<b>785-296-7662</b>	
<b>First Session: 1993</b>	<b>District: 6</b>	<b>Republican</b>	
Calendar and Printing	Chair	On Call	On Call
Interstate Cooperation	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
<b>Victors, Ponka-We</b>	<b>Office 54-S</b>	<b>785 296-7651</b>	
<b>First Session: 2011</b>	<b>District: 103</b>	<b>Democrat</b>	
Children and Seniors	*RM Member	9:00 am Tue/Thu	218-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	*RM Member	3:30 pm Daily	346-S
State -Tribal Relations	Member	On Call	On Call

<b>Ward, Jim</b>	<b>Office 43-S</b>	<b>785 296-7698</b>	
<b>First Session: 2003</b>	<b>District: 86</b>	<b>Democrat</b>	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	*RM Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	112-N
Admin. Rules & Regulations	Member	On Call	On Call
Corr. & Juv. Justice Oversight	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Member	On Call	On Call
<b>Waymaster, Troy</b>	<b>Office 165-W</b>	<b>785 296-7672</b>	
<b>First Session: 2013</b>	<b>District: 109</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
General Government Budget	Chair	1:30 pm Daily	218-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
<b>Whipple, Brandon</b>	<b>Office 173-W</b>	<b>785 296-7366</b>	
<b>First Session: 2013</b>	<b>District: 96</b>	<b>Democrat</b>	
Utilities and Telecommunications	Member	9:00 am Tue/Thu	582-N
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
Information Technology	Member	On Call	On Call
Telecommunications Study Comm.	Member	On Call	On Call
<b>Whitmer, John</b>	<b>Office 167-W</b>	<b>785-296-7567</b>	
<b>First Session: 2015</b>	<b>District: 93</b>	<b>Republican</b>	
Energy and Environment	Member	9:00 am Mon/Wed	582-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Judiciary	Member	3:30 pm Daily	112-N
<b>Williams, Kristey</b>	<b>Office 519-N</b>	<b>785-296-3971</b>	
<b>First Session: 2015</b>	<b>District: 77</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Local Government	Member	1:30 pm Tue/Thu	281-N
Social Services Budget	Member	3:30 pm Daily	144-S
<b>Wilson, John</b>	<b>Office 54-S</b>	<b>785 296-7652</b>	
<b>First Session: 2013</b>	<b>District: 10</b>	<b>Democrat</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Information Technology	Member	On Call	On Call
<b>Winn, Valdenia</b>	<b>Office 451-S</b>	<b>785 296-7657</b>	
<b>First Session: 2001</b>	<b>District: 34</b>	<b>Democrat</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	*RM Member	1:30 pm Daily	112-N
Education Budget	*RM Member	3:30 pm Daily	281-N



COMMITTEE AND MEMBER INFORMATION

Admin. Rules & Regulations	Member	On Call	On Call
<b>Wolfe Moore, Kathy</b>	<b>Office 43-S</b>	<b>785 296-7669</b>	
<b>First Session: 2011</b>	<b>District: 36</b>	<b>Democrat</b>	
Appropriations	Member	9:00 am Daily	112-N
General Government Budget	*RM Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	582-N
Special Claims Against the State	Member	On Call	On Call

\*RM denotes Ranking Minority member

+Sworn in on March 23 to replace Representative Basil Dannebohm who resigned effective February 24, 2015.







**Constitutional Provisions  
Governing  
the  
Kansas Legislature**



**State of Kansas**



# KANSAS CONSTITUTIONAL PROVISIONS CONCERNING LEGISLATIVE POWERS

## Article 2.—LEGISLATIVE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



**State of Kansas**

**2015- 2016**

**February 2015**

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JOINT RULES OF THE SENATE AND  
HOUSE OF REPRESENTATIVES  
2015-2016

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

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

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

**Joint rule 2. Joint sessions.** (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.* The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall

keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

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

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

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

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

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

message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not less than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

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

respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of  $\frac{2}{3}$  of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

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

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

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

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



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

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on February 2, 2015, during the 2015 regular session and on February 1, 2016, during the 2016 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 11, 2015, during the 2015 regular session and on February 10, 2016, during the 2016 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 9, 2015, during the 2015 regular session and on February 8, 2016, during the 2016 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 13, 2015, during the 2015 regular session and on February 12, 2016, during the 2016 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 27, 2015, during the 2015 regular session and on February 26, 2016, during the 2016 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 25, 2015, during the 2015 regular session and March 23, 2016, during the 2016 regular session.

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

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

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

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

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 3, 2015, during the 2015 regular session and after April 1, 2016, during the 2016 regular session except bills vetoed by the Governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

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

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

**RULES OF THE  
KANSAS HOUSE  
OF REPRESENTATIVES**



**2015 - 2016  
BIENNIUM**

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# RULES OF THE HOUSE OF REPRESENTATIVES 2015-2016

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## *ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION*

### **Rule 101. Time of Meeting.**

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

### **Rule 102. Speaker Taking Chair.**

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

### **Rule 103. First Business.**

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

### **Rule 104. Order of Business.**

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

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

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

### **Rule 105. Members Excused from Attendance.**

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

### **Rule 106. Introduction of Guests.**

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

**Rule 107. Session Proforma.**

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

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

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

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

(2) Receipts of messages from the Governor.

(3) Communications from State Officers.

(4) Messages from the Senate.

(5) Reports of Standing Committees.

(6) Presentation of Petitions.

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

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

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

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

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

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

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

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

**ARTICLE 3. QUORUM****Rule 301. Quorum, What Constitutes.**

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

**Rule 302. Absence of Quorum.**

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

**Rule 303. Roll Call to Determine Quorum.**

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

**ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER****Rule 501. Admission to Floor.**

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

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

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

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

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

**Rule 502. Food and Drink.**

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

**Rule 503. Galleries.**

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

**Rule 504. Placing Material on Member's Desk.**

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

**Rule 505. Photographic Record of Vote.**

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

**Rule 506. Wireless Electronic Telecommunications Devices.**

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

**Rule 507. Computer Usage.**

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

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

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

**Rule 702. Introduction of Senate Bills and Concurrent Resolutions.**

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

**Rule 703. Reading of Bills and Resolutions for Introduction.**

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

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

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

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

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

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

(5) two or more standing committees jointly.

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

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

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

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

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

**Rule 902. Appropriation Bills.**

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

**Rule 903. Separately Referred Bills and Resolutions.**

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

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

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

**Rule 904. Jointly Referred Bills and Resolutions.**

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

**ARTICLE 11. COMMITTEES; COMPOSITION**

**Rule 1101. Standing Committees; Names and Members.**

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

1. Agriculture and Natural Resources .....	23
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing .....	6
5. Commerce, Labor and Economic Development .....	17
6. Corrections and Juvenile Justice .....	13
7. Education .....	19

8. Elections.....	13
9. Energy and Environment .....	19
10. Federal and State Affairs.....	23
11. Financial Institutions .....	13
12. Health and Human Services.....	17
13. Insurance .....	13
14. Interstate Cooperation .....	7
15. Judiciary.....	23
16. Local Government .....	13
17. Pensions and Benefits .....	13
18. Rules and Journal .....	7
19. Taxation .....	23
20. Transportation .....	17
21. Utilities and Telecommunications.....	19
22. Veterans, Military and Homeland Security.....	13
23. Vision 2020 .....	13

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

**Rule 1102. Committee Appointments.**

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

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

**Rule 1103. Select Committees.**

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

**Rule 1104. Announce Appointments.**

All committee appointments shall be announced in open session.

**Rule 1105. Budget Committees.**

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

- 1. Agriculture and natural resources budget committee ..... 9
- 2. Education budget committee..... 9
- 3. General government budget committee ..... 9
- 4. Legislative budget committee ..... 8
- 5. Social services budget committee ..... 9
- 6. Transportation and public safety budget committee ..... 9

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

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

**ARTICLE 13. COMMITTEES; PROCEDURE**

**Rule 1301. Committee Meetings; Time and Place.**

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

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

**Rule 1302. Notice and Agenda for Committee Meetings.**

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

**Rule 1303. Duties of Committee Chairperson.**

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

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

**Rule 1304. Introduction of Committee Bills and Resolutions.**

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

**Rule 1305. Quorum of a Committee.**

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

**Rule 1306. Voting in Committees.**

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

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

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

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

**Rule 1307. Procedure in General.**

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

**Rule 1308. Committee Action on Bills and Resolutions.**

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

(b) A committee may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee.

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

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

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

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



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

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

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

#### **Rule 1310. Wireless Electronic Telecommunications Devices.**

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

### ***ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS***

#### **Rule 1501. General Orders; Description and Function.**

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

#### **Rule 1502. Posting of Sequence for Succeeding Day.**

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

#### **Rule 1503. Change in the Sequence on General Orders.**

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

(b) Also, the order of a bill or resolution on General Orders may be changed by vote of a majority of all members then elected (or appointed) and qualified of the House on a motion made as provided in this subsection (b). Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following such failure.

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

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

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

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

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

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

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

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

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

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

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

**Rule 1507. Disposition of Bills Subject to Certain Deadlines.**

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

**ARTICLE 17. MEMBERS ADDRESSING THE HOUSE**

**Rule 1701. Requesting the Floor.**

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

**Rule 1702. Order During Speaking.**

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

**Rule 1703. When Question is Put.**

While a question is being put or a roll call or division is being taken, members are not to

speak or leave their seats.

**Rule 1704. Violation of Rules While Speaking.**

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

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

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

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

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

**Rule 1705. Point of Personal Privilege.**

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

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

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

**ARTICLE 19. COMMITTEE OF THE WHOLE**

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

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

**Rule 1902. Committee of the Whole; Normal Procedure.**

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

the enacting clause is in order at any stage until the final vote is announced. The motion to strike the enacting clause may be debated upon the merit of the proposition, and shall not be subject to amendment or substitution. A roll call vote shall be taken upon a motion to strike the enacting clause.

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

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

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

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

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

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

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

**Rule 1906. Requesting the Floor.**

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

**Rule 1907. Rules Applicable.**

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

**Rule 1908. Rise and Report.**

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

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

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

**Rule 1910. Report of Committee of the Whole.**

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

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

Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to wording of the title thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

**Rule 2102. Form of Amendment Motions.**

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

**Rule 2103. Reading Amendments; General Rule.**

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

**Rule 2104. Motions to Amend Motions.**

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

**Rule 2105. Dividing Amendments.**

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

- (1) A motion to strike out and insert words of less than a sentence shall be indivisible;
- (2) the distinct propositions shall be only in the form submitted in the motion to amend;
- (3) each proposition must be so distinct that, one being removed, the remainder may stand entirely on their own; and

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

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

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

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

(d) The division of the motion to amend shall be in accordance with the rules of the House

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

**Rule 2106. Substitute Motions.**

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

**Rule 2107. Subject Change by Senate.**

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

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

**Rule 2108. Motions to Strike Out and Insert.**

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

**Rule 2109. Identical Motions.**

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

**Rule 2110. Floor Amendments to Bills Making Appropriations.**

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

**ARTICLE 23. PROCEDURAL MOTIONS**

**Rule 2301. Order of Motions.**

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

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

**Rule 2302. Motion to Adjourn.**

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

**Rule 2303. Motion to Reconsider.**

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

**Rule 2304. Previous Question.**

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

**Rule 2305. Motions Not Subject to Debate.**

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

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

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

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

When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the



Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2308. Stating Question.**

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

**Rule 2309. Dividing Motion.**

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

**Rule 2310. When Motions to be in Writing.**

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

**Rule 2311. Suspension of Rules of the House.**

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

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

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

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

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

**Rule 2312. Mason's Manual; When Applicable.**

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

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

**ARTICLE 25. VOTING**

**Rule 2501. Control and Use of Voting System.**

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



**Rule 2502. Procedure for Taking a Roll Call Vote.**

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

**Rule 2503. Display of Recurring Totals.**

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

**Rule 2504. Voting by Members.**

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

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

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

**Rule 2505. Explaining Vote.**

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

**Rule 2506. Copies of Voting Records.**

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

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

**Rule 2507. When Roll Call Vote to be Taken.**

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

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to commendations or acknowledgments, unless required under subsection (e) of Rule 2507.

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

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

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

**Rule 2508. Call of the House.**

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

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

**Rule 2509. Voice Vote; Division of the Assembly.**

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

**ARTICLE 27. FINAL ACTION****Rule 2701. Description and Function.**

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

**Rule 2702. Reading and Vote.**

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

**Rule 2703. Amendment and Debate, When.**

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

**Rule 2704. Speaker to Preside.**

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

**Rule 2705. Consent Calendar.**

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

**Rule 2706. Majority for Bill Passage.**

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

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

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

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

**Rule 2708. Motion to Adopt Report of Conference Committee.**

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

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

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

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

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

**Rule 2902. House Resolutions; Introduction and Consideration.**

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

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

**Rule 2903. Resolutions; Limitations.**

(a) Appropriations shall not be made by resolutions.

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

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

Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event shall be introduced by a member or committee of the House of Representatives unless application for approval of the introduction of such resolution is first made to the Speaker, and the resolution is approved for introduction by the Speaker. The application shall be determined on the basis of content alone. The Speaker shall consider all such applications and shall determine whether a House resolution or House concurrent resolution should be approved for introduction, or whether a certificate of the House should be approved for issuance or whether no action should be taken on the application. The speaker may consult with the Committee on Calendar and Printing in making determinations under this rule.

**ARTICLE 33. MEMBER OFFICERS****Rule 3301. Elected Member Officers.**

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

**Rule 3302. Duties of the Speaker.**

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

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

**Rule 3303. Speaker Pro Tem.**

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

**Rule 3304. Filling Certain Vacancies.**

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

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

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall exercise the powers and duties of the Minority Leader.

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

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

**ARTICLE 35. NONMEMBER OFFICERS****Rule 3501. Chief Clerk; Appointment.**

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

**Rule 3502. Duties of the Chief Clerk.**

The chief clerk shall supervise the keeping of and be responsible for a record of all pro-

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

**Rule 3503. Other Clerks.**

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

**Rule 3504. Document Care.**

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

**Rule 3505. Sergeant at Arms; Appointment.**

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

**Rule 3506. Duties of the Sergeant at Arms.**

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

**Rule 3507. Assistant Sergeants at Arms.**

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

**ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE**

**Rule 3701. Adopting, Amending or Revoking Rules of the House.**

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

**Rule 3702. Resolutions for Rule Changes.**

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

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

**Rule 3703. Printing.**

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

**Rule 3704. Adoption of Resolutions.**

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

**Rule 3705. Special Sponsorship of Rule Change Resolutions.**

Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

**ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS****Rule 3901. Bills Amending Existing Statutes.**

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

**Rule 3902. Bills, Copies.**

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

**Rule 3903. Showing Committee Amendments.**

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

**Rule 3904. Substitute Bills and Substitute Concurrent Resolutions.**

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

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

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

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

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

(2) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "House Substitute for Senate Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled



with the number of the concurrent resolution for which substitution is made or recommended.

**Rule 3905. Appropriation Bills.**

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

**Rule 3906. Committee of the Whole Amendments.**

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

**Rule 3907. Concurrent Resolutions, When Printed.**

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

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

**Rule 3908. Embellished Printing of Certain Resolutions.**

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

**Rule 3909. House Resolutions.**

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

**ARTICLE 41. JOURNAL AND CALENDAR**

**Rule 4101. Journal; Preparation.**

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

**Rule 4102. Entering in Journal.**

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

**Rule 4103. Resolutions in Journal.**

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

**Rule 4104. Messages from the Governor in Journal.**

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

**Rule 4105. Calendar; Preparation.**

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



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

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

**Rule 4107. Copies of Journals and Calendars.**

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

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

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

**Rule 4302. Special Order.**

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

**Rule 4303. Petitions; Presentation.**

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

**Rule 4304. Petitions; Endorse Name.**

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

**Rule 4305. Open Meetings.**

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

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

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

**Rule 4502. Committee Report on Executive Reorganization Orders.**

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

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

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

**Rule 4504. Special Order of Business for ERO.**

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

**Rule 4505. Nonapplication to Bills.**

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

**Rule 4506. Nonaction When Moot.**

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

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

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

**Rule 4702. Same; Select Committee.**

The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeachment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party members in the same proportion as for the entire House membership.

**Rule 4703. Same; Reference.**

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

**Rule 4704. Same; Report.**

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

**Rule 4705. Same; Call into Session.**

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

**Rule 4706. Same; Procedure.**

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

***ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS*****Rule 4901. Complaint.**

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

**Rule 4902. Select Committee; Consideration of Complaint.**

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

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of Kansas Statutes Annotated.

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

**Rule 4903. Action by House.**

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

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JOURNAL  
OF THE  
HOUSE

2015 REGULAR SESSION  
JANUARY 12, 2015 THROUGH ADJOURNMENT JUNE 26, 2015

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

## EXPLANATION OF ABBREVIATIONS

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

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

## EXPLANATION OF PAGE NUMBERING

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

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

# Journal of the House

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, December 1, 2014, 10:00 a.m.

In accordance with the provisions of K.S.A. 40-142, those members elected at the General Election, November 4, 2014, convened at 10:00 a.m.

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

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

I, KRIS W. KOBACH, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two year term beginning on the second Monday of January, A.D. 2015.

*District*

1<sup>st</sup>—Michael Houser  
2<sup>nd</sup>—Adam J. Lusker Sr.  
3<sup>rd</sup>—Charles (Chuck)Smith  
4<sup>th</sup>—Marty Read  
5<sup>th</sup>—Kevin Jones  
6<sup>th</sup>—Jene Vickrey  
7<sup>th</sup>—Richard J. Proehl  
8<sup>th</sup>—Craig McPherson  
9<sup>th</sup>—Kent L. Thompson  
10<sup>th</sup>—John Wilson  
11<sup>th</sup>—Jim Kelly  
12<sup>th</sup>—Virgil Peck  
13<sup>th</sup>—Larry P. Hibbard  
14<sup>th</sup>—Keith Esau  
15<sup>th</sup>—Erin L. Davis  
16<sup>th</sup>—Amanda Grosserode  
17<sup>th</sup>—Brett M. Hildabrand  
18<sup>th</sup>—John Rubin  
19<sup>th</sup>—Stephanie Clayton  
20<sup>th</sup>—Rob Bruchman  
21<sup>st</sup>—Barbara Bollier  
22<sup>nd</sup>—Nancy Lusk  
23<sup>rd</sup>—Linda Gallagher  
24<sup>th</sup>—Jarrod Ousley  
25<sup>th</sup>—Melissa Rooker  
26<sup>th</sup>—Larry L. Campbell  
27<sup>th</sup>—Ray Merrick  
28<sup>th</sup>—Jerry Lunn

*District*

29<sup>th</sup>—James Eric Todd  
30<sup>th</sup>—Randy Powell  
31<sup>st</sup>—Louis E. Ruiz  
32<sup>nd</sup>—Pam Curtis  
33<sup>rd</sup>—Tom Burroughs  
34<sup>th</sup>—Valdenia C. Winn  
35<sup>th</sup>—Broderick Henderson  
36<sup>th</sup>—Kathy Wolfe Moore  
37<sup>th</sup>—Stan S. Frownfelter  
38<sup>th</sup>—Willie Dove  
39<sup>th</sup>—Charles Macheers  
40<sup>th</sup>—John Bradford  
41<sup>st</sup>—Tony Barton  
42<sup>nd</sup>—Connie O'Brien  
43<sup>rd</sup>—Bill Sutton  
44<sup>th</sup>—Barbara W. Ballard  
45<sup>th</sup>—Tom Sloan  
46<sup>th</sup>—Dennis “Boog” Highberger  
47<sup>th</sup>—Ramon C. Gonzalez Jr.  
48<sup>th</sup>—Marvin Kleeb  
49<sup>th</sup>—Scott Schwab  
50<sup>th</sup>—Fred C. Patton  
51<sup>st</sup>—Ron Highland  
52<sup>nd</sup>—Dick Jones  
53<sup>rd</sup>—Annie Tietze  
54<sup>th</sup>—Ken Corbet  
55<sup>th</sup>—Annie Kuether  
56<sup>th</sup>—Lane Hemsley

*District*

57<sup>th</sup>—John Alcalá  
 58<sup>th</sup>—Harold Lane  
 59<sup>th</sup>—Blaine Finch  
 60<sup>th</sup>—Don Hill  
 61<sup>st</sup>—Becky J. Hutchins  
 62<sup>nd</sup>—Randy Garber  
 63<sup>rd</sup>—Jerry Henry  
 64<sup>th</sup>—Susie Swanson  
 65<sup>th</sup>—Lonnie Clark  
 66<sup>th</sup>—Sydney Carlin  
 67<sup>th</sup>—Tom Phillips  
 68<sup>th</sup>—Tom Moxley  
 69<sup>th</sup>—J.R. Claeys  
 70<sup>th</sup>—John E. Barker  
 71<sup>st</sup>—Diana Dierks  
 72<sup>nd</sup>—Marc Rhoades  
 73<sup>rd</sup>—Les Mason  
 74<sup>th</sup>—Don Schroeder  
 75<sup>th</sup>—Will Carpenter  
 76<sup>th</sup>—Peggy L. Mast  
 77<sup>th</sup>—Kristey S. Williams  
 78<sup>th</sup>—Ron Ryckman Jr.  
 79<sup>th</sup>—Ed Trimmer  
 80<sup>th</sup>—Kasha Kelley  
 81<sup>st</sup>—Blake Carpenter  
 82<sup>nd</sup>—Pete DeGraaf  
 83<sup>rd</sup>—Carolyn Bridges  
 84<sup>th</sup>—Gail Finney  
 85<sup>th</sup>—Steven Brunk  
 86<sup>th</sup>—Jim Ward  
 87<sup>th</sup>—Mark Kahrs  
 88<sup>th</sup>—Joseph Scapa  
 89<sup>th</sup>—Roderick Houston  
 90<sup>th</sup>—Steve Huebert

*District*

91<sup>st</sup>—Gene Suellentrop  
 92<sup>nd</sup>—John Carmichael  
 93<sup>rd</sup>—John Whitmer  
 94<sup>th</sup>—Mario Goico  
 95<sup>th</sup>—Tom Sawyer  
 96<sup>th</sup>—Brandon Whipple  
 97<sup>th</sup>—Leslie G. Osterman  
 98<sup>th</sup>—Steven Anthimides  
 99<sup>th</sup>—Dennis E. Hedke  
 100<sup>th</sup>—Dan Hawkins  
 101<sup>st</sup>—Joe Seiwert  
 102<sup>nd</sup>—Jan Pauals  
 103<sup>rd</sup>—Ponka-We Victors  
 104<sup>th</sup>—Steven R. Becker  
 105<sup>th</sup>—Mark Edward Hutton  
 106<sup>th</sup>—Sharon J. Schwartz  
 107<sup>th</sup>—Susan L. Concannon  
 108<sup>th</sup>—Steven Johnson  
 109<sup>th</sup>—Troy L. Waymaster  
 110<sup>th</sup>—Travis Couture-Lovelady  
 111<sup>th</sup>—Sue E. Boldra  
 112<sup>th</sup>—John Edmonds  
 113<sup>th</sup>—Jeremy “Basil” Dannebohm  
 114<sup>th</sup>—Jack Thimesch  
 115<sup>th</sup>—Ronald W. Ryckman Sr.  
 116<sup>th</sup>—Kyle D. Hoffman  
 117<sup>th</sup>—John L. Ewy  
 118<sup>th</sup>—Don Hineman  
 119<sup>th</sup>—Bud Estes  
 120<sup>th</sup>—Richard (Rick) Billinger  
 121<sup>st</sup>—S. Mike Kiegerl  
 122<sup>nd</sup>—J. Russell “Russ” Jennings  
 123<sup>rd</sup>—John Doll  
 124<sup>th</sup>—J. Stephen Alford  
 125<sup>th</sup>—Shannon G. Francis

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 1<sup>st</sup> day of December, A.D. 2014.

KRIS W. KOBACH  
*Secretary of State*

ERIC RUCKER  
*Assistant Secretary of State*

All 125 members-elect were present.

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

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

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

Majority Party Caucus Chairperson Travis Couture-Lovelady submitted the following report:

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

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

- (1) Speaker of the House of Representatives, Ray Merrick
- (2) Speaker Pro Tem of the House of Representatives, Peggy Mast

(b) Select the following caucus or party officers:

- (1) Majority Leader, Jene Vickrey
- (2) Assistant Majority Leader, Mario Goico
- (3) Majority Whip, Ron Ryckman, Jr.
- (4) Caucus Chairperson, Travis Couture Lovelady

Minority Party Caucus Chairperson Barbara Ballard submitted the following report:

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

- (a) Minority Leader, Tom Burroughs
- (b) Assistant Minority Leader, Louis Ruiz
- (c) Minority Whip, Ed Trimmer
- (d) Agenda Chairperson, Brandon Whipple
- (e) Caucus Chairperson, Barbara Ballard
- (f) Policy Chairperson, John Wilson

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

On motion of Member-Elect Burroughs, the following preorganizational resolution was adopted.

## **HOUSE PREORGANIZATIONAL MEETING RESOLUTION**

A RESOLUTION concerning seating of members of the House of Representatives during the 2015 regular session of the legislature.

*Be it resolved by the Members-Elect of the House of Representatives:* Members of the majority party shall occupy all seats on the south side of the center aisle of the house chamber and in addition thereto such seats on the north side of the center aisle of the house chamber as needed. Members of the minority party shall occupy the remaining seats on the north side of the center aisle of the house chamber. The candidate of the majority party for speaker and the minority leader shall prepare seat designations for members of the respective parties.

Mr. Kleeb declared the House adjourned until 2:00 p.m., Monday, January 12, 2015.

# Journal of the House

## FIRST DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, January 12, 2015, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2015 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Kris Kobach, Secretary of State.

Prayer by the Rev. Eunice Brubaker, Topeka:

Loving God,  
We thank you for another new and beautiful day.  
Thank you for the atmosphere of joy, excitement and anticipation  
of the ceremony and inauguration of this new session.  
We ask for a peaceful transition and a Spirit-led new season.  
Though many are returning, we have several new representatives.  
Be with them these first few days.  
Give to all members wisdom, knowledge, understanding and humility  
that they might know how to accomplish the work they have been given to do.  
I also pray for courage for each one to act upon  
that which they discern what Your Spirit is telling them.  
All that is done in the future days ahead,  
may it be done for Your glory and honor.  
I pray this in Your name,  
Amen.

The Pledge of Allegiance was led by Rep. Merrick.

Secretary of State Kris Kobach announced the appointment of Susan Kannaar as temporary Chief Clerk of the House.

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

I, KRIS KOBACH, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two-year term beginning on the second Monday of January, A.D. 2015.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 26<sup>th</sup> day of November, A.D. 2014.

KRIS KOBACH  
*Secretary of State*

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

State of Kansas, County of Shawnee, ss:

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

*District*

- 1<sup>st</sup>—Michael Houser
- 2<sup>nd</sup>—Adam J. Lusker Sr.
- 3<sup>rd</sup>—Charles (Chuck)Smith
- 4<sup>th</sup>—Marty Read
- 5<sup>th</sup>—Kevin Jones
- 6<sup>th</sup>—Jene Vickrey
- 7<sup>th</sup>—Richard J. Proehl
- 8<sup>th</sup>—Craig McPherson
- 9<sup>th</sup>—Kent L. Thompson
- 10<sup>th</sup>—John Wilson
- 11<sup>th</sup>—Jim Kelly
- 12<sup>th</sup>—Virgil Peck
- 13<sup>th</sup>—Larry P. Hibbard
- 14<sup>th</sup>—Keith Esau
- 15<sup>th</sup>—Erin L. Davis
- 16<sup>th</sup>—Amanda Grosserode
- 17<sup>th</sup>—Brett M. Hildabrand
- 18<sup>th</sup>—John Rubin
- 19<sup>th</sup>—Stephanie Clayton
- 20<sup>th</sup>—Rob Bruchman
- 21<sup>st</sup>—Barbara Bollier
- 22<sup>nd</sup>—Nancy Lusk
- 23<sup>rd</sup>—Linda Gallagher
- 24<sup>th</sup>—Jarrod Ousley
- 25<sup>th</sup>—Melissa Rooker
- 26<sup>th</sup>—Larry L. Campbell
- 27<sup>th</sup>—Ray Merrick
- 28<sup>h</sup>—Jerry Lunn
- 29<sup>th</sup>—James Eric Todd
- 30<sup>th</sup>—Randy Powell

*District*

- 31<sup>st</sup>—Louis E. Ruiz
- 32<sup>nd</sup>—Pam Curtis
- 33<sup>rd</sup>—Tom Burroughs
- 34<sup>th</sup>—Valdenia C. Winn
- 35<sup>th</sup>—Broderick Henderson
- 36<sup>th</sup>—Kathy Wolfe Moore
- 37<sup>th</sup>—Stan S. Frownfelter
- 38<sup>th</sup>—Willie Dove
- 39<sup>th</sup>—Charles Macheers
- 40<sup>th</sup>—John Bradford
- 41<sup>st</sup>—Tony Barton
- 42<sup>nd</sup>—Connie O'Brien
- 43<sup>rd</sup>—Bill Sutton
- 44<sup>th</sup>—Barbara W. Ballard
- 45<sup>th</sup>—Tom Sloan
- 46<sup>th</sup>—Dennis “Boog” Highberger
- 47<sup>th</sup>—Ramon C. Gonzalez Jr.
- 48<sup>th</sup>—Marvin KleeB
- 49<sup>th</sup>—Scott Schwab
- 50<sup>th</sup>—Fred C. Patton
- 51<sup>st</sup>—Ron Highland
- 52<sup>nd</sup>—Dick Jones
- 53<sup>rd</sup>—Annie Tietze
- 54<sup>th</sup>—Ken Corbet
- 55<sup>th</sup>—Annie Kuether
- 56<sup>th</sup>—Lane Hemsley
- 57<sup>th</sup>—John Alcala
- 58<sup>th</sup>—Harold Lane
- 59<sup>th</sup>—Blaine Finch
- 60<sup>th</sup>—Don Hill

*District*

61<sup>st</sup>—Becky J. Hutchins  
 62<sup>nd</sup>—Randy Garber  
 63<sup>rd</sup>—Jerry Henry  
 64<sup>th</sup>—Susie Swanson  
 65<sup>th</sup>—Lonnie Clark  
 66<sup>th</sup>—Sydney Carlin  
 67<sup>th</sup>—Tom Phillips  
 68<sup>th</sup>—Tom Moxley  
 70<sup>th</sup>—John E. Barker  
 71<sup>st</sup>—Diana Dierks  
 72<sup>nd</sup>—Marc Rhoades  
 73<sup>rd</sup>—Les Mason  
 74<sup>th</sup>—Don Schroeder  
 75<sup>th</sup>—Will Carpenter  
 76<sup>th</sup>—Peggy L. Mast  
 77<sup>th</sup>—Kristey S. Williams  
 78<sup>th</sup>—Ron Ryckman Jr.  
 79<sup>th</sup>—Ed Trimmer  
 80<sup>th</sup>—Kasha Kelley  
 81<sup>st</sup>—Blake Carpenter  
 82<sup>nd</sup>—Pete DeGraaf  
 83<sup>rd</sup>—Carolyn Bridges  
 84<sup>th</sup>—Gail Finney  
 85<sup>th</sup>—Steven Brunk  
 86<sup>th</sup>—Jim Ward  
 87<sup>th</sup>—Mark Kahrs  
 88<sup>th</sup>—Joseph Scapa  
 89<sup>th</sup>—Roderick Houston  
 90<sup>th</sup>—Steve Huebert  
 91<sup>st</sup>—Gene Suellentrop  
 92<sup>nd</sup>—John Carmichael  
 93<sup>rd</sup>—John Whitmer

*District*

94<sup>th</sup>—Mario Goico  
 95<sup>th</sup>—Tom Sawyer  
 96<sup>th</sup>—Brandon Whipple  
 97<sup>th</sup>—Leslie G. Osterman  
 98<sup>th</sup>—Steven Anthimides  
 99<sup>th</sup>—Dennis E. Hedke  
 100<sup>th</sup>—Dan Hawkins  
 101<sup>st</sup>—Joe Seiwert  
 102<sup>nd</sup>—Jan Pauls  
 103<sup>rd</sup>—Ponka-We Victors  
 104<sup>th</sup>—Steven R. Becker  
 105<sup>th</sup>—Mark Edward Hutton  
 106<sup>th</sup>—Sharon J. Schwartz  
 107<sup>th</sup>—Susan L. Concannon  
 108<sup>th</sup>—Steven Johnson  
 109<sup>th</sup>—Troy L. Waymaster  
 110<sup>th</sup>—Travis Couture-Lovelady  
 111<sup>th</sup>—Sue E. Boldra  
 112<sup>th</sup>—John Edmonds  
 113<sup>th</sup>—Jeremy “Basil” Dannebohm  
 114<sup>th</sup>—Jack Thimesch  
 115<sup>th</sup>—Ronald W. Ryckman Sr.  
 116<sup>th</sup>—Kyle D. Hoffman  
 117<sup>th</sup>—John L. Ewy  
 118<sup>th</sup>—Don Hineman  
 119<sup>th</sup>—Bud Estes  
 120<sup>th</sup>—Richard (Rick) Billinger  
 121<sup>st</sup>—S. Mike Kiegerl  
 122<sup>nd</sup>—J. Russell “Russ” Jennings  
 123<sup>rd</sup>—John Doll  
 124<sup>th</sup>—J. Stephen Alford  
 125<sup>th</sup>—Shannon G. Francis

Nominations being in order for speaker, Rep. Couture-Lovelady nominated Rep. Ray Merrick for Speaker of the House. There being no further nominations, Rep. Burroughs moved the nominations be closed, and that the temporary clerk be instructed to cast a unanimous ballot for Rep. Merrick as Speaker of the House of Representatives. The motion prevailed.

Secretary of State Kris Kobach requested Rep. Merrick to approach the bar for the oath of office.

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

State of Kansas, County of Shawnee,ss:

I do solemnly swear that I will support the constitution of the United States and the



constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 12<sup>th</sup> day of January, 2015.

LAWTON R. NUSS

*Chief Justice of the Supreme Court*

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

It is an honor to stand before you today as your House Speaker. I am profoundly grateful that I was selected to lead this body for another two years. Thank you for putting your trust in me. I promise to continue to be open and candid with you, and lead with integrity. There will be long days ahead. We have many hard decisions ahead of us. Making tough decisions is why we are here. We owe it to the people of Kansas to keep a broad perspective. We have to balance all the demands ...and the requests, and do the right thing for the future health and prosperity of our state. I also want to give a special thank you my wife Phyllis... and to all the legislative spouses. Without your support, this job would be impossible. You sacrifice daily, and contribute to the smooth function of this body in numerous and unquantifiable ways. I also want to thank the House clerk and her staff...Legislative Research... The Revisors ...Administrative Services... and everyone who keeping this place running. All of you help us make Kansas a better place for future generations. We appreciate you, and are so thankful for everything you do for us. May God bless all of you, and may God bless the great state of Kansas.

Speaker Merrick was presented with the gavel by Secretary of State Kris Kobach and assumed the chair.

Speaker Merrick announced the appointment of Susan Kannarr as Chief Clerk and Foster Chisholm as Sergeant-at-Arms of the House of Representatives.

Nominations being in order for Speaker pro tem, Rep. Couture-Lovelady nominated Rep. Peggy Mast for Speaker pro tem of the House. There being no further nominations, Rep. Ruiz moved the nominations be closed, and that the clerk be instructed to cast a unanimous ballot for Rep. Mast as Speaker pro tem of the House of Representatives. The motion prevailed.

Speaker Merrick requested Rep. Mast to approach the bar for the oath of office.

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

State of Kansas, County of Shawnee,ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker pro tem of the House of Representatives, so help me God. Subscribed and sworn to before me this 12<sup>th</sup> day of January, 2015.

LAWTON R. NUSS

*Chief Justice of the Supreme Court*

Speaker pro tem Mast addressed the following remarks to the member of the House:

Colleagues and Friends,

It is truly an honor to stand before you as Speaker Pro Tem. I have had the privilege of working with most of you already, and I am looking forward to the new experiences, memories, and work to be accomplished in the future. As Pro Tem, I am committed to always having a listening ear, honest advice, and service to each of you. My office is always open to each of you and my staff is always here to help.

As Representatives, our highest priority is to represent those individuals that have given us this responsibility. We must work together to do what is best for those we represent. We are a unique team of individuals who have been called to serve in such a time as this. It is a privilege to work beside each of you and I feel honored to call you friends. Thank you for this opportunity to serve you as Speaker Pro Tem! All the best for Legislative session 2015!

Speaker Merrick asked for announcements from party caucuses:

Rep. Couture-Lovelady stated the majority (Republican) party had met and elected the following:

- Majority Leader, Representative Jene Vickrey
- Assistant Majority Leader, Representative Mario Goico
- Majority Whip, Representative Ron Ryckman
- Caucus Chairperson, Representative Travis Couture-Lovelady.

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

Good Afternoon. Greetings honored guests; Speaker Merrick, Minority Leader Burroughs. First I want to introduce my wife of 30 years Teresa and with her is my son Jacob and his wife Kori. They are here with their three daughters: Emma, Olivia, and 2 month old Anika. My daughter Jazz and her husband Tyler are here as well with their daughter Analeigh.

Two years ago, in the same speech, I commented that we had a long way to go and a short time to get there. And as it turned out it took longer to get there than we had hoped. But through the years I have been in the Legislature, our state motto “Ad Astra per Aspera” is always an important reminder of where to turn during the struggles of the session. But it’s in these tough times that have made us, Kansas, a free state. The struggles that through the years, as Kansans, we always pull together, work hard, and get the job done.

Over the last couple of decades this legislative body has toiled long hours finding solutions to many budget and funding issues. While fighting unreasonable and often unfunded federal mandates on our state, we continue to help Kansas communities recover from floods, tornadoes, and earthquakes while debating heart-felt, often very emotional issues.

In this house, each member is here to improve the future for Kansans as they see it. Yes we often strongly disagree but this is the peoples’ house where each member here works hard for their constituents that elected them. Kansas is such a beautiful state,

from the smoky flint hills to the golden fields of wheat but the most amazing part is our people. We are all here hard at work to make it a better place for them and should never lose sight of that.

This is going to be another year of challenge but one truth has proven itself over and over, democracy works. It is very often ugly to watch and hard to understand but the tug of war and debate of ideas does give us confidence that the end of this year again through the difficulties we will find real and positive solutions that do continue to provide better lives for our constituents.

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

- Minority Leader, Representative Tom Burroughs
- Assistant Minority Leader, Representative Louis Ruiz
- Minority Whip, Representative Ed Trimmer
- Agenda Chairperson, Representative Brandon Whipple
- Caucus Chairperson, Representative Barbara Ballard
- Policy Chairperson, Representative John Wilson

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

My beautiful bride of 33 years, Cathie, is here with me today. Cathie, thank you so much for your love and support throughout my 18 years in the Kansas Legislature. She decorates my office, she sends baskets of snacks for me to munch on throughout the session. She is strongly supportive of my hectic schedule. Simply put, I wouldn't be here today without her.

To the Kansas House Democrats: Thank you for the privilege of serving as your leader. I am humbled and honored by the faith you have placed in me and I pledge to work relentlessly on your behalf for the next two years.

To Representative Merrick: Congratulations on your re-election as Speaker of the Kansas House. This body has tremendous confidence in your leadership abilities, and rest assured that confidence extends beyond your own caucus. Despite our policy disagreements, Mr. Speaker, you have always maintained a friendly rapport with the Minority Leadership team. I look forward to continuing that tradition.

And finally, congratulations to the 20 new members who are taking their oaths of office for the first time today. You are about to embark on a 90-day adventure. By the end, there is so much going on that all the days seem to blur together. But this particular day will stand out in your memory.

It reminds me a little bit of Opening Day in baseball.

Any baseball fan knows that Opening Day is not just "one of 162 games." The start of a new baseball season means anything is possible. Every team is a contender for the World Series – even if they haven't been there for 30 years.

And no matter what team you're cheering for or what stadium you're sitting in, everyone in a ballpark on Opening Day feels the same sense of community as they celebrate a tradition that is so proudly American. The day is just as much about our rich culture as it is about score of the game.

Now, the work we have before us this year in the Kansas Legislature has far more serious implications than that of our national pastime. The challenges we face this year

cannot be understated. But before we dive in to the difficult work before us, it is important to embrace our shared heritage as we raise our hands and pledge to serve the people of this great state.

It's a moment to focus on our shared desire to build of a stronger, more prosperous Kansas...not stronger, more prosperous political parties.

And it's a moment to remember that – no matter what the partisan breakdown of this chamber may be – every person has an equally important role to play.

You know, legislative bodies rarely score well in public opinion polls. I saw one poll last year that ranked Congress lower than lice and root canals.

Ouch.

I believe that the public's frustration with legislative bodies is just as much about how they treat each other as it is with the legislation they pass.

But we're Kansans. We do things differently here.

After 18 years in this Chamber, I've watched a lot of members come and go. I was certainly closer to some than I was to others. But all of them were my respected colleagues, as are you.

We all have different backgrounds, different priorities, and different ideologies. There is no question that we will vigorously debate the issues, and we will, at times, passionately disagree. And there is no question that the process is always a little bit messy.

Actually, more often than not, it's a lot more than a "little" messy.

But rest assured, this is still the People's House.

And even though it has been decades since the majority party of this chamber shifted, it has been my observation - year after year - that the more important the task at hand, the more likely it is that the 63rd vote will be hard won and uncovered in a surprising place.

This is a constant truth that has preserved the importance of compromise and civility in our legislative process.

Which is exactly how Democracy should be. And it's exactly what our constituents expect.

Not all the good ideas are in one party. Not all the good people are in one party. But we are all one Kansas.

We are a people defined by our imagination, by our sense of duty and justice, by our individualism, and by our unrelenting optimism.

We're the kind of folks who roll up our sleeves and get to work when something needs doing – no matter how difficult the task and no matter who made the mess.

We're the kind of people willing to fight for the things that we believe in.

And there's no question that Kansans' values and beliefs are solid as a rock.

Kansans have never had much use for national trends. From abolition to women's suffrage to the end of government-sanctioned racial segregation, we've never been afraid to forge our own path.

But that doesn't mean we've never made mistakes. In fact, in 1855, our first territorial legislature enacted a series of state laws patterned after our neighbor, Missouri. But it didn't take too long for us to realize that we didn't want to be like Missouri. And by 1858 many of those laws were repealed and replaced with a uniquely Kansas vision.

There are more modern policy decisions that we will be forced to re-evaluate this

year if we want to preserve that Kansas vision our forefathers dreamt of on the Kansas prairie over 150 years ago.

That vision established world-class public schools and universities, a growing economy, and a vibrant middle class. It is worth protecting.

My friends and colleagues, we have a tough road ahead. Kansas has many challenges to face in the coming months and years. And no matter what party label we wear, we're all in this together.

Good government is a collaborative effort, and I look forward to working with you all as we embark on this journey.

So let us begin. Day One of 90...to the stars through difficulty.

Ad astra per aspera.

God bless you and God bless the great State of Kansas.

The roll was called with 124 members present.

Rep.-Elect Claeyes was excused on excused absence by the Speaker.

#### **STANDING COMMITTEES OF THE HOUSE LEGISLATIVE SESSION 2015**

**Agriculture and Natural Resources:** Schwartz, *Chairperson*; Boldra, *Vice Chairperson*; Clark, Concannon, Dannebohm, Dierks, Ewy, Francis, Hibbard, Hildabrand, Moxley, Read, Schroeder, Seiwert, Sloan, S. Swanson, Thimesch, Waymaster

Victors, *Ranking Minority Member*; Carlin, Lusker, Trimmer, Wilson

**Agriculture and Natural Resources Budget:** Hoffman, *Chairperson*; Schroeder, *Vice Chairperson*; Clark, Clayton, Gallagher, Hibbard, Johnson

Carlin, *Ranking Minority Member*; Henry

**Appropriations:** Ryckman, *Chairperson*; Edmonds, *Vice Chairperson*; Barker, W. Carpenter, Claeyes, DeGraaf, Grosserode, Highland, Hill, Hoffman, Hutton, Kahrs, Kleebl, Lunn, Proehl, Schwartz, Suellentrop, Waymaster

Henry, *Ranking Minority Member*; Ballard, Carlin, Finney, Wolfe Moore

**Calendar and Printing:** Vickrey, *Chairperson*; Merrick, *Vice Chairperson*; Goico, Mast

Burroughs, *Ranking Minority Member*; Ruiz

**Children and Seniors:** O'Brien, *Chairperson*; Dove, *Vice Chairperson*; E. Davis, Gallagher, Garber, Kiegerl, Phillips, Rooker, C. Smith, S. Swanson

Victors, *Ranking Minority Member*; Curtis, Ousley

**Commerce, Labor and Economic Development:** Hutton, *Chairperson*; Mason, *Vice Chairperson*; Billinger, Brunk, Claeyes, Corbet, Couture-Lovelady, Dannebohm, E. Davis, Hemsley, Kleebl, F. Patton, Suellentrop

Frownfelter, *Ranking Minority Member*; Ruiz, Tietze, Whipple

**Corrections and Juvenile Justice:** Rubin, *Chairperson*; Gonzalez, *Vice Chairperson*; Alford, Anthimides, Becker, Finch, Jennings, Moxley, Pauls, S. Swanson  
Highberger, *Ranking Minority Member*; Finney

**Education:** Highland, *Chairperson*; Lunn, *Vice Chairperson*; Barker, Barton, Boldra, Bradford, Bruchman, Dierks, Dove, Ewy, Grosserode, Hedke, Macheers, Rhoades, C. Smith  
Winn, *Ranking Minority Member*; Bridges, Lusk, Trimmer

**Education Budget:** Grosserode, *Chairperson*; Sutton, *Vice Chairperson*; Bollier, B. Carpenter, Huebert, O'Brien, Peck  
Winn, *Ranking Minority Member*; Henry

**Elections:** Kahrs, *Chairperson*; Esau, *Vice Chairperson*; Campbell, Hildabrand, Huebert, O'Brien, Peck, R. Powell, Scapa, Whitmer  
Sawyer, *Ranking Minority Member*; Alcalá, Carmichael

**Energy and Environment:** Hedke, *Chairperson*; Corbet, *Vice Chairperson*; Barton, Bruchman, Esau, Jennings, Kelley, Kiegerl, Mason, McPherson, Moxley, Phillips, R. Powell, Sutton, Whitmer  
Kuether, *Ranking Minority Member*; Carmichael, Highberger, Lane

**Federal and State Affairs:** Brunk, *Chairperson*; Couture-Lovelady, *Vice Chairperson*; Becker, Bradford, Clayton, Concannon, Estes, Ewy, Hemsley, Hildabrand, Hineman, Houser, D. Jones, Pauls, Read, Scapa, Todd, K. Williams  
Tietze, *Ranking Minority Member*; Henderson, Lusk, Wilson, Winn

**Financial Institutions:** DeGraaf, *Chairperson*; Kelly, *Vice Chairperson*; Billinger, Bradford, Campbell, Esau, Goico, D. Jones, K. Jones, Scapa  
Frownfelter, *Ranking Minority Member*; Burroughs, Ousley

**General Government Budget:** Waymaster, *Chairperson*; McPherson, *Vice Chairperson*; DeGraaf, Garber, Hineman, Hutchins, Sutton  
Wolfe Moore, *Ranking Minority Member*; Lane

**Health and Human Services:** Hawkins, *Chairperson*; Concannon, *Vice Chairperson*; Bollier, B. Carpenter, Edmonds, Estes, Hill, D. Jones, K. Jones, Kelly, Osterman, Schwab, Thompson  
Ward, *Ranking Minority Member*; Henderson, Houston, Wilson

**Insurance:** Schwab, *Chairperson*; Bruchman, *Vice Chairperson*; Anthimides, Barton, DeGraaf, Doll, Dove, Goico, Hawkins, Hill  
Houston, *Ranking Minority Member*; Henderson, Wilson

**Interstate Cooperation:** Merrick, *Chairperson*; Mast, *Vice Chairperson*; Goico, Vickrey  
Burroughs, *Ranking Minority Member*; Tietze

**Judiciary:** Barker, *Chairperson*; Macheers, *Vice Chairperson*; Alford, Becker, Couture-Lovelady, E. Davis, Finch, Hoffman, Hutchins, Kahrs, McPherson, Osterman, F. Patton, Pauls, R. Powell, Rubin, Todd, Whitmer  
Carmichael, *Ranking Minority Member*; Curtis, Highberger, Kuether, Ward

**Legislative Budget (House):** Ryckman, *Chairperson*; Edmonds, *Vice Chairperson*; Goico, Mast, Merrick, Vickrey  
Burroughs, *Ranking Minority Member*; Ruiz

**Local Government:** Huebert, *Chairperson*; Phillips, *Vice Chairperson*; Campbell, Esau, Francis, Houser, Kiegerl, Peck, Whitmer, K. Williams  
Alcala, *Ranking Minority Member*; Carmichael, Curtis

**Pensions and Benefits:** Johnson, *Chairperson*; Thompson, *Vice Chairperson*; Billinger, E. Davis, Hawkins, K. Jones, Kelly, Macheers, Peck, Rhoades  
Trimmer, *Ranking Minority Member*; Alcala, Ward

**Rules and Journal:** Barker, *Chairperson*; Bruchman, Couture-Lovelady, Kahrs, Schwab  
Sawyer, *Vice Chairperson*; Trimmer

**Social Services Budget:** W. Carpenter, *Chairperson*; Mast, *Vice Chairperson*; Clayton, Estes, Gallagher, Garber, K. Williams  
Ballard, *Ranking Minority Member*; Lusk

**Taxation:** Kleeb, *Chairperson*; Suellentrop, *Vice Chairperson*; Brunk, Corbet, Edmonds, Hedke, Hemsley, Highland, Hineman, Hutton, Johnson, Kelley, Lunn, Mason, Phillips, Rhoades, Ryckman Sr., Thompson  
Sawyer, *Ranking Minority Member*; Alcala, Bridges, Whipple, Wolfe Moore

**Transportation:** Proehl, *Chairperson*; Ryckman Sr., *Vice Chairperson*; W. Carpenter, Doll, Goico, Kelley, Read, Rooker, Schwartz, Seiwert, Sloan, Thimesch, Todd  
Lusker, *Ranking Minority Member*; Ballard, Ousley, Victors

**Transportation and Public Safety Budget:** Claeys, *Chairperson*; Jennings, *Vice Chairperson*; Gonzalez, Houser, Proehl, Rooker, C. Smith  
Finney, *Ranking Minority Member*; Tietze

**Utilities and Telecommunications:** Seiwert, *Chairperson*; Alford, *Vice Chairperson*; Anthimides, Boldra, Bruchman, Corbet, Doll, Finch, Gonzalez, Hibbard, Ryckman Sr., Schroeder, Schwab, Thimesch, Thompson  
Kuether, *Ranking Minority Member*; Frownfelter, Trimmer, Whipple

**Veterans, Military and Homeland Security:** Goico, *Chairperson*; Osterman, *Vice Chairperson*; Barton, B. Carpenter, Clark, Dierks, Hutchins, K. Jones, F. Patton, Rubin Lane, *Ranking Minority Member*; Bridges, Lusker

**Vision 2020:** Sloan, *Chairperson*; Campbell, *Vice Chairperson*; Bollier, Dannebohm, Francis, Garber, O'Brien, F. Patton, Rooker, S. Swanson  
Curtis, *Ranking Minority Member*; Houston, Ousley

**COMMUNICATIONS FROM STATE OFFICERS**

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2014 Regular Session of the Legislature:

From Randy Peterson, Chair, Health Care Access Improvement Panel, and Kari Bruffet, Director of DHCF, the 2014 Report.

From Alan D. Conroy, Executive Director, Kansas Public Employee Retirement, System, the required annual report regarding KPERS investments in Sudan.

From Derek Schmidt, Attorney General, the 2014 annual report of the Kansas State Child Death Review Board.

From Brad Burke, Deputy Secretary and Chief Attorney, in accordance with Senate Substitute for House Bill No. 2231, regarding what will be required in order for Kansas to develop and operate a Kansas job safety and health programs "State plan," which will be subject to approval and monitoring by OSHA, in accordance with Section 18 of the Occupational Safety and Health Act of 1970.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, the audited financial statements for the fiscal year ended June 30, 2014.

From Susan Mosier, MD, the Interim Secretary and State Health Officer, Kansas Department of Health and Environment, pursuant to K.S.A. 65-176, the results of 2014 KDHE inspections and recommendations for State Children's Institutions.

From Ernest E. Garcia, Superintendent, Kansas Highway Patrol, pursuant to K.S.A. 60-4117, the annual report of the State Forfeiture Fund.

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System's Comprehensive Annual Financial Report, available at <http://www.kpers.org/annualreport2014.pdf>.

From Ernest E. Garcia, Superintendent, Kansas Highway Patrol, pursuant to KSA 60-4117, the annual report regarding State Forfeiture Funds.

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

From Jim Echols, Chair, Kansas Advisory Group on Juvenile Justice and Delinquency Prevention (KAG), the 2014 Annual Report.

From Bob Page, President and Chief Executive, The University of Kansas Hospital, in accordance with K.S.A. 76-3312(p), the 2014 Annual Report.

From Gary Harshberger, Chair, Kansas Water Authority, the 2015 Annual Report.

From the Office of Governor Sam Brownback:

Executive Directive No. 14-452, Authorizing Personnel Transactions.

Executive Directive No. 14-453, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-454, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-455, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-456, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-457, Authorizing Personnel Transactions.

Executive Directive No. 14-458, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-459, Authorizing Expenditure of Federal Funds.



Executive Directive No. 14-460, Authorizing Expenditure of Federal Funds.  
 Executive Directive No. 14-461, Authorizing Expenditure of Federal Funds.  
 Executive Order No. 14-03, declaring a state of emergency for Bourbon, Cherokee, and Linn counties.  
 Executive Order No. 14-04, a Drought Watch or Warning, replacing Executive Order No. 13-02.  
 Executive Order No. 14-05, for Governor's Reward.  
 Executive Order No. 14-06, establishing a Mobile Communication Device policy for Executive Branch Agencies.

Also, from Sharon Wenger, Principal Fiscal Analyst, Kansas Legislative Research Department, final report of the K-12 Student Performance and Efficiency Commission, which can be found at [www.kslegislature.org/kldr/](http://www.kslegislature.org/kldr/).

From Kelly Freed, Kansas Water Office, 2015 Kansas Water Authority Annual Report to the Governor and Legislature, which can be found at [http://www.kwo.org/reports\\_publications/Reports/Rpt\\_2015\\_KWA\\_Rpt\\_Governor\\_Legislature.pdf](http://www.kwo.org/reports_publications/Reports/Rpt_2015_KWA_Rpt_Governor_Legislature.pdf).

From Kansas Department of Wildlife, Parks and Tourism, pursuant to KSA 32-844, Land Acquisition and Lease Renewal Report by the Kansas Department of Wildlife and Parks.

From Martha Gabehart, Executive Director, Kansas Commission on Disability Concerns, Employment First Oversight Commission's 2015 Report with Recommendations.

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, status of the KBI State Forfeiture Fund.

From Brad Burke, Deputy Secretary and Chief Attorney, Kansas Department of Labor, report regarding a Kansas job safety and health programs State plan.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), Annual Report of the Pooled Money Investment Board for Fiscal Year 2014.

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

## **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Vickrey, **HR 6001**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6001**—

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

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

Ray Merrick, speaker,  
 Peggy Mast, speaker pro tem,  
 Gene Vickrey, majority leader,  
 Tom Burroughs, minority leader,

Susan Kannarr, chief clerk,  
 Foster Chisholm, sergeant at arms,  
 and awaits the pleasure of the Senate.

On emergency motion of Rep. Vickrey, **HR 6002**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6002**—

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

*Be it resolved by the House of Representatives of the State of Kansas:* That the speaker be assigned seat No. 2; the speaker pro tem be assigned seat No. 1; the majority leader be assigned seat No. 3; the minority leader be assigned seat No. 4; and the remaining members of the house be assigned the following seats: Alcalá 53, Alford 117, Anthimides 124, Ballard 30, Barker 10, Barton 80, Becker 46, Billinger 98, Boldra 65, Bollier 104, Bradford 41, Bridges 57, Bruchman 101, Brunk 82, Campbell 119, Carlin 31, Carmichael 56, Carpenter, B. 87, Carpenter, W. 79, Claey's 76, Clark 70, Clayton 48, Concannon 84, Corbet 93, Couture-Lovelady 23, Curtis 16, Dannebohm 106, Davis 27, DeGraaf 39, Dierks 90, Doll 96, Dove 21, Edmonds 25, Esau 111, Estes 99, Ewy 63, Finch 92, Finney 52, Francis 109, Frownfelter 18, Gallagher 103, Garber 71, Goico 97, Gonzales 108, Grosserode 68, Hawkins 7, Hedke 42, Hemsley 94, Henderson 55, Henry 6, Hibbard 107, Highberger 36, Highland 11, Hildabrand 110, Hill 122, Hineman 47, Hoffman 113, Houser 61, Houston 34, Huebert 118, Hutchins 85, Hutton 8, Jennings 102, Johnson 22, Jones, D. 95, Jones, K. 78, Kahrs 125, Kleeb 19, Keigerl 81, Kelley 24, Kelly 60, Kuether 51, Lane 54, Lunn 12, Lusk 29, Lusker 33, Macheers 45, Mason 40, McPherson 62, Moxley 121, O'Brien 89, Osterman 83, Ousley 35, Patton 69, Pauls 66, Peck 77, Phillips 91, Powell 75, Proehl 59, Read 88, Rhoades 37, Rooker 67, Rubin 44, Ruiz 5, Ryckman, Ron 9, Ryckman, Sr. 26, Sawyer 14, Scapa 73, Schroeder 105, Schwab 86, Schwartz 64, Seiwert 115, Sloan 120, Smith 72, Suellentrop 20, Sutton 43, Swanson 123, Thimesch 114, Thompson 100, Tietze 50, Todd 74, Trimmer 13, Victors 17, Ward 58, Waymaster 116, Whipple 32, Whitmer 38, Williams 112, Wilson 15, Winn 28, Wolfe Moore 49.

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

On emergency motion of Rep. Vickrey, **HR 6003**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6003**—

A RESOLUTION relating to the rules of the House of Representatives for the 2015-2016 biennium.

*Be it resolved by the House of Representatives of the State of Kansas:* That the rules of the House of Representatives for the 2013-2014 biennium in effect at the time of adjournment sine die of the 2014 regular session of the legislature shall constitute the temporary rules of the House of Representatives for the 2015 regular session until permanent rules are adopted.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

### HOUSE RESOLUTION No. **HR 6004**—

By Representatives Merrick and Burroughs

A RESOLUTION adopting permanent rules of the House of Representatives for the 2015-2016 biennium.

*Be it resolved by the House of Representatives of the State of Kansas:* The following rules shall be the permanent rules of the House of Representatives for the 2015-2016 biennium.

### RULES OF THE HOUSE OF REPRESENTATIVES

2015-2016

#### ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION

**Rule 101. Time of Meeting.** The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m.

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

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

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

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

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

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

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

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

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

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Receipts of messages from the Governor.
- (3) Communications from State Officers.
- (4) Messages from the Senate.
- (5) Reports of Standing Committees.
- (6) Presentation of Petitions.

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

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

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

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

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

Appeals from rulings on questions of germaneness of an amendment shall be debatable only by the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to amend, the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the

procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

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

#### ARTICLE 3. QUORUM

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

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

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

#### ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER

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

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

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

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

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

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

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

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

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

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

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

#### ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS

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

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

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

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

#### ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 11. COMMITTEES; COMPOSITION

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

- 1. Agriculture and Natural Resources..... 23
- 2. Appropriations..... 23
- 3. Children and Seniors..... 13
- 4. Calendar and Printing..... 6
- 5. Commerce, Labor and Economic Development ..... 17

- 6. Corrections and Juvenile Justice ..... 13
- 7. Education ..... 19
- 8. Elections..... 13
- 9. Energy and Environment..... 19
- 10. Federal and State Affairs..... 23
- 11. Financial Institutions ..... 13
- 12. Health and Human Services..... 17
- 13. Insurance ..... 13
- 14. Interstate Cooperation ..... 7
- 15. Judiciary..... 23
- 16. Local Government..... 13
- 17. Pensions and Benefits..... 13
- 18. Rules and Journal ..... 7
- 19. Taxation ..... 23
- 20. Transportation..... 17
- 21. Utilities and Telecommunications..... 19
- 22. Veterans, Military and Homeland Security..... 13
- 23. Vision 2020..... 13

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

**Rule 1102. Committee Appointments.** (a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

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

**Rule 1103. Select Committees.** The Speaker may appoint select committees and the chairpersons and vice chairpersons thereof. The Speaker may remove or replace any



such chairpersons or vice chairpersons or members of such committees. Select committees shall meet on call of the chairperson or when directed by the Speaker.

**Rule 1104. Announce Appointments.** All committee appointments shall be announced in open session.

**Rule 1105. Budget Committees.** (a) There is hereby created the following budget committees of the committee on appropriations which shall have the number of members indicated for each:

- 1. Agriculture and natural resources budget committee ..... 9
- 2. Education budget committee..... 9
- 3. General government budget committee ..... 9
- 4. Legislative budget committee..... 8
- 5. Social services budget committee ..... 9
- 6. Transportation and public safety budget committee..... 9

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

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

ARTICLE 13. COMMITTEES; PROCEDURE

**Rule 1301. Committee Meetings; Time and Place.** (a) When the Legislature is in session, standing committees shall meet at the times and place assigned by the Speaker on the call of the chairperson.

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

**Rule 1302. Notice and Agenda for Committee Meetings.** The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chief clerk shall include in the calendar such information as is practical.

**Rule 1303. Duties of Committee Chairperson.** The principal duties of the chairperson of a standing committee are:

- (a) To preside over meetings of the committee and to put all questions;
- (b) to maintain order and decide all questions of order subject to appeal to the committee;
- (c) to supervise and direct staff of the committee;
- (d) to keep, or have the committee secretary keep, subject to the approval of the committee at a subsequent meeting, minutes of meetings which shall include:
  - (1) The time and place of each meeting of the committee;
  - (2) the attendance of committee members; and

(3) the names and city and state of residence of persons appearing before the committee and whom each represents;

(e) to prepare and sign reports of the committee and submit them promptly to the chief clerk;

(f) to appoint subcommittees to perform duties on an informal basis; and

(g) to inform the Speaker of any committee activity which caused any member of the committee to be absent during any recorded vote.

**Rule 1304. Introduction of Committee Bills and Resolutions.** A committee may introduce bills and resolutions while the Legislature is in session respecting any matters referred to it. Unless approved by the Speaker, a standing committee may introduce bills and resolutions only within the general subject area assigned to the committee. No standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

**Rule 1305. Quorum of a Committee.** A quorum shall be present at a meeting for a committee to act officially. A quorum of a committee is a majority of the members of the committee. A quorum of a committee may transact business and a majority of the quorum, even though it is a minority of the committee, may adopt a committee report.

**Rule 1306. Voting in Committees.** (a) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. The final action taken shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

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

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

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

**Rule 1307. Procedure in General.** Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second.

**Rule 1308. Committee Action on Bills and Resolutions.** (a) A committee shall not take action to report a bill out of committee on the same day that the committee holds a hearing on the bill unless the committee approves such action by a two-thirds vote.

(b) A committee may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee.

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

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

**Rule 1309. Motion to Withdraw a Bill or Resolution from a Committee.** (a) If a

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

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

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

**Rule 1310. Wireless Electronic Telecommunications Devices.** Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room is prohibited during any time when a committee or subcommittee is in session in the room.

#### ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS

**Rule 1501. General Orders; Description and Function.** Bills, concurrent resolutions and House resolutions reported for further action by the committee to which they were referred and bills and concurrent resolutions referred directly to the committee of the whole shall constitute the General Orders of the calendar of the House. The titles of such bills and resolutions shall appear under the heading General Orders in the order directed by the Speaker and the Majority Leader. The reporting committee and its action on the bill or resolution shall be shown under each bill and resolution. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders. The Speaker and the Majority Leader may consult with the Committee on Calendar and Printing in preparing the order of bills and resolutions under this rule.

**Rule 1502. Posting of Sequence for Succeeding Day.** When the Speaker and the Majority Leader have prepared the sequence of bills and resolutions to appear on General Orders for the succeeding legislative day, a copy of the list giving the number designation of each bill and resolution in the order they are to appear shall be posted near the entrance to the House chamber. No bill or resolution shall appear on General Orders or be considered in the committee of the whole without notice of the same having been announced in the House not later than 4:00 p.m. or prior to adjournment if at a later hour on the previous day.

**Rule 1503. Change in the Sequence on General Orders.** (a) The order of a bill or resolution on General Orders may be changed by unanimous consent or by the affirmative vote of 70 members.

(b) Also, the order of a bill or resolution on General Orders may be changed by vote of a majority of all members then elected (or appointed) and qualified of the House on a motion made as provided in this subsection (b). Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following such failure.

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

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

**Rule 1504. Adversely Reported Bills and Resolutions; Calendar Location.** Bills and resolutions that are adversely reported shall appear on the calendar for one day under the heading bills adversely reported.

**Rule 1505. Motion to Move Adversely Reported Bill or Concurrent Resolution to General Orders.** (a) A motion to add an adversely reported bill or resolution to General Orders shall be made in writing. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions, and such motion may not be made after the legislative day when the bill or resolution appears on the calendar under Rule 1504. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made.

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

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

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

**Rule 1506. Motion to Lay on Table Bill or Resolution while on Final Action Subject to Amendments and Debate.** When a motion to lay on the table a bill or resolution is adopted while on final action subject to amendment and debate, on the next legislative day such bill or resolution shall be placed on the calendar under the order of business the unfinished business before the House at the time of adjournment on the previous day.

**Rule 1507. Disposition of Bills Subject to Certain Deadlines.** Any bill which is subject to a deadline for consideration under subsection (e) or subsection (f) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives and which remains

on General Orders at the close of business on such deadline day shall be considered as killed and shall be stricken from the calendar unless such bill is referred by the speaker to a committee before the close of business on such day. Any bill so referred shall be subject to all applicable deadlines under the Joint Rules of the Senate and House of Representatives.

#### ARTICLE 17. MEMBERS ADDRESSING THE HOUSE

**Rule 1701. Requesting the Floor.** Any member desiring to request the floor shall press the member's "speak bill" button, and shall not proceed until recognized by the chair.

**Rule 1702. Order During Speaking.** While a member is speaking to the House, no other member shall engage in private conversation or pass between the member speaking and the chair.

**Rule 1703. When Question is Put.** While a question is being put or a roll call or division is being taken, members are not to speak or leave their seats.

**Rule 1704. Violation of Rules While Speaking.** (a) Members shall address the House from the microphone located in the well of the House chamber.

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

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

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

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

**Rule 1705. Point of Personal Privilege.** Except when permission has otherwise been given by the Speaker before taking the chair:

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

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

#### ARTICLE 19. COMMITTEE OF THE WHOLE

**Rule 1901. Motion to go into Committee of the Whole House.** When the order of business General Orders is reached, a motion shall be in order for the House to go into Committee of the Whole for consideration of bills and resolutions as listed on General Orders.

**Rule 1902. Committee of the Whole; Normal Procedure.** Bills and resolutions

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

**Rule 1903. Motion to Pass Over a Bill or Resolution While in Committee of the Whole.** When in the Committee of the Whole, either (1) a motion to pass over a bill or resolution and that it retain its place on the Calendar or (2) a motion to pass over a bill or resolution and that it retain a place on General Orders shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Either motion shall require the vote of a majority of the members present for adoption. Motions under this rule shall not be subject to debate.

**Rule 1904. Motions to Refer Bills or Resolutions to a Committee While in Committee of the Whole.** When in the Committee of the Whole, a motion may be made to refer a bill or resolution to a standing committee only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Such motion shall require the vote of a majority of the members present for adoption.

**Rule 1905. Striking Bills and Resolutions from the Calendar While in Committee of the Whole.** (a) While in Committee of the Whole, a motion to strike a bill or resolution from the calendar shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it.

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

**Rule 1906. Requesting the Floor.** Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the Committee of the Whole.

**Rule 1907. Rules Applicable.** The same rules, except Rule 2508, shall be observed in the Committee of the Whole as in the House, so far as the same are applicable, except that the previous question and the motion to lay on the table shall not apply.

**Rule 1908. Rise and Report.** A motion for the Committee of the Whole to rise and report shall be in order at any stage, and shall be decided without debate. When the Committee of the Whole has a bill under consideration and rises without final action thereon, the bill shall retain a place on General Orders.

**Rule 1909. Effect of Recommendation of Committee of the Whole.** Bills recommended for passage and resolutions recommended for adoption by the Committee of the Whole shall not be subject to amendment or debate after the adoption by the House of the Committee of the Whole report. When a bill or resolution is reported with the recommendation that the enacting or resolving clause be stricken, and the Committee of the Whole report is adopted by the House, the bill or resolution shall be considered as killed and shall be stricken from the calendar.

**Rule 1910. Report of Committee of the Whole.** When the report of the Committee of the Whole recommends the passage of a bill or adoption of a resolution, and the report is adopted by the House, such bills and resolutions shall be considered as ordered to the order of business Final Action. If the bill or resolution has been amended by the Committee of the Whole it shall be reprinted.

#### ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS

**Rule 2101. Germaneness.** Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to wording of the title thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

**Rule 2102. Form of Amendment Motions.** Motions to amend bills and resolutions shall specify the page and line number, as shown on the printed bill or resolution, and shall be in writing on a form provided by the House or a form substantially similar. A motion shall be out of order unless the written motion is first delivered to the chief clerk. In the case of amendment by substitute bill, motion shall be made to substitute a written bill for the bill under consideration.

**Rule 2103. Reading Amendments; General Rule.** Motions to amend bills and resolutions shall not require readings as for bills introduced, except as otherwise provided in Rule 2107, but shall be subject to Rule 2306.

**Rule 2104. Motions to Amend Motions.** A motion to amend a motion to amend a bill or resolution shall not be in order.

**Rule 2105. Dividing Amendments.** (a) When any motion to amend a bill or resolution contains distinct propositions, it shall be divided by the presiding officer at the request of any member. The division by the presiding officer shall be made in accordance with the following:

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



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

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

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

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

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

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

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

**Rule 2106. Substitute Motions.** No substitute motion to amend a bill or resolution shall be in order.

**Rule 2107. Subject Change by Senate.** (a) When the Senate adopts amendments to a House bill which materially changes its subject, upon return of such bill to the House, it shall be read as provided for the introduction of bills and be referred as provided in Rule 901.

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

**Rule 2108. Motions to Strike Out and Insert.** The rejection of a motion to amend a bill or resolution by striking out and inserting one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

**Rule 2109. Identical Motions.** Except upon the unanimous consent of the House, an identical motion to amend a bill or resolution shall not be made a second time on the same legislative day.

**Rule 2110. Floor Amendments to Bills Making Appropriations.** Unless by majority consent to correct an error in drafting, no floor amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such



appropriations bill.

#### ARTICLE 23. PROCEDURAL MOTIONS

**Rule 2301. Order of Motions.** When a question is under consideration, no motion shall be received except as specified under the Rules of the House, which motions shall have precedence in the following order:

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

**Rule 2302. Motion to Adjourn.** The motion to adjourn shall always be in order, except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to recess is not equivalent to a motion to adjourn.

**Rule 2303. Motion to Reconsider.** A motion to reconsider shall take precedence of all other questions except the motion to adjourn. No motion for reconsideration of any vote shall be in order, unless made on the same day or the legislative day following that on which the decision to be reconsidered took place, nor unless a member voting with the prevailing side shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent, but this provision shall not be construed as preventing the introduction of a bill on the same subject. The member moving for reconsideration shall be allowed not more than two minutes for stating the reasons in support of the motion. Such motion shall be subject to debate by any member, stating reasons in support or opposition to the motion. Each of such members shall be allowed not more than one minute for the purpose of such debate. Such motion shall require the affirmative vote of members equal in number to that required to take the action proposed to be reconsidered. A motion to reconsider any final action of the House shall be in order at any time prior to the time at which the message of the House thereon is read into the record of the Senate. A motion to reconsider any final action of the House may be made after the time at which the message of the House thereon is read into the report of the Senate but any action taken pursuant thereto will be contingent upon the return of the measure to the House by the Senate.

**Rule 2304. Previous Question.** The "previous question" shall be: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When voting on the previous question, the House decides that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matter under consideration. When amendments are pending, a vote shall first be taken upon such amendments in their order without further debate or amendment. A majority vote of the

members present shall order the previous question.

**Rule 2305. Motions Not Subject to Debate.** All questions relating to priority of business shall be decided without debate. The motion to adjourn, to change the order of consideration of a bill, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

**Rule 2306. Motion to Refer Bills or Resolutions to Committee When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to refer a bill or resolution from the Calendar to a standing committee shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2307. Motion to Strike Bills and Resolutions from Calendar When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2308. Stating Question.** Every motion shall be first stated by the presiding officer or read by the chief clerk, before debate, and again immediately before putting the question.

**Rule 2309. Dividing Motion.** If any motion, other than a motion under Rule 2105, contains distinct propositions, it shall be divided by the chairperson at the request of any member. Motions under Rule 2105 shall be divided in accordance with that rule.

**Rule 2310. When Motions to be in Writing.** Every motion, except those specified in Rules 2301 and 2303, shall be in writing if the Speaker or any member desires it. All motions to amend a bill or resolution and all resolutions shall be in writing.

**Rule 2311. Suspension of Rules of the House.** (a) No rule of the House shall be suspended except by unanimous consent or by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House, subject to the following exceptions:

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

(2) A motion to suspend the rules and to permit amendment and debate of a bill under the order of business Final Action shall require an affirmative vote of  $\frac{2}{3}$  of the members present in the House.

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

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

**Rule 2312. Mason's Manual; When Applicable.** (a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (2010 edition), with the exception of section 4, paragraph 2, shall govern.

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

#### ARTICLE 25. VOTING

**Rule 2501. Control and Use of Voting System.** The electronic voting system shall be under the control of the Speaker or other presiding officer and shall be operated by the chief clerk. The electronic voting system shall be used to record the vote whenever a roll call vote is taken on any question and may be used for ascertaining the vote upon any measure upon which a division of the assembly has been called. In the event that the system is not operating properly, roll call votes may be taken by calling the roll.

**Rule 2502. Procedure for Taking a Roll Call Vote.** When a roll call vote is taken, the presiding officer shall state the question and instruct the members to proceed to vote. When sufficient time has been allowed the members to vote, the presiding officer shall inquire: "Has every member had an opportunity to vote?" After a short pause the presiding officer shall direct the chief clerk to close the roll. After the roll has been closed, when Rule 2505 applies, the presiding officer shall inquire: "Does any member desire to explain his or her vote?" and any member so desiring may give such explanation when recognized by the presiding officer. The presiding officer shall inquire: "Does any member desire to change his or her vote?" If any member does desire to change his or her vote, such member when recognized by the presiding officer, shall advise how they desire to change such vote and the presiding officer shall then instruct the chief clerk to make the appropriate change. A member who has not previously voted may vote at this time when permitted by the presiding officer. Such member shall advise how they wish to vote and the presiding officer shall then instruct the chief clerk to record such vote. After all members who desire to vote or to change their votes have had reasonable opportunity to do so, the presiding officer shall announce the vote and, when the vote has been announced, shall direct the chief clerk to record the vote.

**Rule 2503. Display of Recurring Totals.** Under Rule 2502, recurring totals shall be displayed only after the roll is closed. No recurring totals shall be displayed for a determination of the vote upon a division of the assembly.

**Rule 2504. Voting by Members.** (a) A member may vote only when at their desk or at any place within the chamber of the House when authorized by the presiding officer, who shall direct the chief clerk to so vote for such member.

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

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

**Rule 2505. Explaining Vote.** Any member may, when a roll call vote is being taken on the passage or adoption of any bill or resolution, explain their vote. Such member shall be allowed not more than one minute for such explanation. Such explanation, if furnished in writing and signed, with printed name and district number, by such member by 4:00 p.m. upon the day the vote is taken or if the vote is taken subsequent to 3:30 p.m., within one-half hour after the adjournment of the House on that day, shall be entered in the Journal, provided it does not contain more than 100 words.

**Rule 2506. Copies of Voting Records.** (a) Unless otherwise ordered, the chief clerk shall record each roll call vote and make copies available for the use of the news media. No record shall be made of the vote of any member voting upon any measure upon which a division of the assembly has been called.

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

**Rule 2507. When Roll Call Vote to be Taken.** (a) A roll call vote shall be taken for the passage of any bill.

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to commendations or acknowledgments, unless required under subsection (e) of Rule 2507.

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

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

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

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

has been exerted to secure absentees.

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

**Rule 2509. Voice Vote; Division of the Assembly.** Except when a roll call vote is required, a voice vote shall be taken on all questions. Any member may call for a division of the assembly to determine the vote by the voting system.

#### ARTICLE 27. FINAL ACTION

**Rule 2701. Description and Function.** Subject to Rule 2705, bills and resolutions reported favorably by the Committee of the Whole shall constitute the order of business Final Action of the House. The titles of such bills and resolutions shall appear under the heading Final Action in numerical order. The standing committee which reported it and the Committee of the Whole action on the bill or resolution shall be shown under each thereof.

**Rule 2702. Reading and Vote.** Each bill and resolution under the order of business Final Action shall be read by title, except citations of statutes amended or repealed and a roll call vote shall then be taken upon final passage or adoption without amendment or debate.

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

**Rule 2704. Speaker to Preside.** Subject to Rule 3303, the Speaker shall preside during the order of business Final Action.

**Rule 2705. Consent Calendar.** Whenever a standing committee is of the opinion that a bill or concurrent resolution upon which it is reporting is of a noncontroversial nature, it shall so state in its committee report. Whenever a bill or concurrent resolution is so reported, it shall be placed upon the Consent Calendar. Each bill or concurrent resolution placed on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. Under the order of business Consent Calendar and prior to the call for the vote, any member may object to the bill or concurrent resolution as being controversial and thereupon it shall be removed from the Consent Calendar and shall be placed on General Orders. If no objection is made prior to the call for the vote on the bill or concurrent resolution, it shall be ordered to Final Action for vote before other bills and concurrent resolutions on Final Action.

**Rule 2706. Majority for Bill Passage.** As provided in section 13 of article 2 of the Constitution of Kansas, a majority of the members then elected (or appointed) and qualified, voting in the affirmative, shall be necessary for the passage of a bill.

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

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

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

**Rule 2708. Motion to Adopt Report of Conference Committee.** The member carrying the report of a conference committee shall move that such report be adopted prior to yielding the floor to any other member and a motion to adopt a report of a conference committee shall not be offered as a substitute motion.

#### ARTICLE 29. RESOLUTIONS

**Rule 2901. Resolving Clause; Form.** (a) Concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall have a resolving clause which reads, "Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein."

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

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

**Rule 2902. House Resolutions; Introduction and Consideration.** (a) House resolutions, except for those changing rules of the House or approving or rejecting executive reorganization orders, shall lay over at least one legislative day before action is taken thereon and do not require a roll call vote unless required under subsection (e) of Rule 2507.

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

**Rule 2903. Resolutions; Limitations.** (a) Appropriations shall not be made by resolutions.

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

**Rule 2904. Applications for Introduction of certain Resolutions; Certificate of the House.** Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event

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

#### ARTICLE 33. MEMBER OFFICERS

**Rule 3301. Elected Member Officers.** The Speaker and the Speaker Pro Tem shall be members and shall be elected by the members of the House, except as otherwise provided in subsection (b) of Rule 3304.

**Rule 3302. Duties of the Speaker.** In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

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

**Rule 3303. Speaker Pro Tem.** In the absence of the Speaker, the Speaker Pro Tem shall exercise the powers and duties of the Speaker.

**Rule 3304. Filling Certain Vacancies.** (a) When a vacancy occurs in the office of Speaker and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the House of Representatives shall meet within 30 days and elect a member to fill the vacancy. The Speaker Pro Tem shall within 10 days of such occurrence issue a call for such meeting at a time not less than 10 days and not more than 20 days after the date of the call.

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

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall



exercise the powers and duties of the Minority Leader.

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

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

#### ARTICLE 35. NONMEMBER OFFICERS

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

**Rule 3502. Duties of the Chief Clerk.** The chief clerk shall supervise the keeping of and be responsible for a record of all proceedings of the House; number and present to the House all bills, resolutions, petitions and other papers which the House may require; deliver all messages from the House to the Senate; transmit bills and other documents to be printed and take a receipt therefor; transmit bills for engrossment and take receipt therefor; receive all bills, resolutions and other papers which are enrolled and give receipt therefor; and cause all enrolled bills, resolutions and other documents to be proofread and corrected prior to signing thereof by officers of the House.

**Rule 3503. Other Clerks.** The chief clerk shall appoint additional clerks and personnel to assist in performance of the duties of the chief clerk. Such additional clerks and personnel shall serve under the chief clerk's direction, control and supervision and at the pleasure of the chief clerk.

**Rule 3504. Document Care.** No bill, resolution, petition or other document shall be loaned or delivered to any person, except when delivered to an officer of the House, to the director of printing, the revisor of statutes or the Senate and only upon a written receipt therefor.

**Rule 3505. Sergeant at Arms; Appointment.** The sergeant at arms shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker.

**Rule 3506. Duties of the Sergeant at Arms.** The sergeant at arms shall preserve order within the chamber of the House and its lobby and galleries. The sergeant at arms may arrest and take into custody any person for disorderly conduct, subject at all times to the authority of the House or Speaker, or chairperson of the Committee of the Whole, and shall be responsible for the enforcement of Rules 501 through 506 and 2506(a). The sergeant at arms shall receive items or material for distribution among the members of the House. The sergeant at arms shall execute all orders of the House not otherwise provided for.

**Rule 3507. Assistant Sergeants at Arms.** The Speaker may appoint and remove assistant sergeants at arms to serve under the supervision of the sergeant at arms. All doorkeepers shall be assistant sergeants at arms.

#### ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE

**Rule 3701. Adopting, Amending or Revoking Rules of the House.** No rule of the House shall be adopted, amended or revoked except by a House resolution which has been adopted by an affirmative vote of a majority of the members then elected (or



appointed) and qualified to the House.

**Rule 3702. Resolutions for Rule Changes.** (a) Notwithstanding any other rule of the House, the Speaker shall refer all resolutions which provide for the adoption, amendment or revocation of any House rule to the standing Committee on Rules and Journal before its consideration by the House.

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

**Rule 3703. Printing.** Resolutions to which this Article 37 apply shall be printed and are subject to subsection (c) of Rule 2507.

**Rule 3704. Adoption of Resolutions.** Resolutions to which this Article 37 apply shall be subject to Rule 2902.

**Rule 3705. Special Sponsorship of Rule Change Resolutions.** Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

#### ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

**Rule 3901. Bills Amending Existing Statutes.** Any bill intended to amend or repeal any section or sections of the Kansas Statutes Annotated shall recite in its title the section or sections to be amended or repealed, and if to amend or repeal any section of a session law not in the Kansas Statutes Annotated, the section and chapter of the session law affected.

**Rule 3902. Bills, Copies.** Each bill introduced shall consist of an original and copies. All bills shall be printed with as many copies as the Speaker specifies. Except for prefiled bills, printing shall be ordered subsequent to introduction.

**Rule 3903. Showing Committee Amendments.** All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

**Rule 3904. Substitute Bills and Substitute Concurrent Resolutions.** (a) When a substitute bill is recommended by a committee report, and when an amendment from the floor is adopted replacing the bill under consideration with a substitute bill, the substitute bill shall be printed in the manner provided for bills introduced, and the bill number designation shall be substantially as follows:

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

(2) In the case of bills substituted for Senate bills, "House Substitute for Senate Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which

substitution is made or recommended.

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

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

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

**Rule 3905. Appropriation Bills.** All bills making an appropriation shall be printed and distributed, or shall be made available to members electronically online and all members shall be notified by email, at least 24 hours before such bills are considered by the House.

**Rule 3906. Committee of the Whole Amendments.** If a bill or concurrent resolution is amended by the Committee of the Whole, it shall be reprinted showing the amendments.

**Rule 3907. Concurrent Resolutions, When Printed.** (a) Concurrent resolutions to amend the Constitution of Kansas, to call a constitutional convention to amend the Kansas constitution, to ratify amendments to the Constitution of the United States, to apply for a United States constitutional convention or to amend the joint rules of the House and Senate shall be printed as provided for bills under Rule 3902.

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

**Rule 3908. Embellished Printing of Certain Resolutions.** Unless otherwise directed by the Speaker, not more than five copies of any enrolled House resolution and any enrolled House concurrent resolution may be printed on embellished parchment and shall be distributed as directed by the resolution. Additional copies of any resolution may be printed on embellished parchment and mailed at the expense of the member requesting such additional copies.

**Rule 3909. House Resolutions.** Subject to Rule 3908, House resolutions shall not be printed, except resolutions to amend rules of the House, to approve or disapprove executive reorganization orders or if the resolution has been referred to a committee, in which cases the resolution shall be printed.

#### ARTICLE 41. JOURNAL AND CALENDAR

**Rule 4101. Journal; Preparation.** The daily Journal of the House of Representatives shall be prepared by the chief clerk in accordance with the Rules of the House.

**Rule 4102. Entering in Journal.** When a bill, order, motion or resolution is entered in the Journal, the names of the members or legislative committee introducing or moving the same shall be entered.

**Rule 4103. Resolutions in Journal.** All House resolutions and all House concurrent resolutions shall be printed in the Journal when introduced.

**Rule 4104. Messages from the Governor in Journal.** All messages from the Governor and all executive reorganization orders shall be printed in the Journal.

**Rule 4105. Calendar; Preparation.** The House Calendar shall be prepared for each legislative day by the chief clerk in accordance with the Rules of the House.

**Rule 4106. Status of Bills and Resolutions Shown in Calendar.** The status of all House and Senate bills and concurrent resolutions and House resolutions shall be shown by number in the Calendar for each legislative day.

**Rule 4107. Copies of Journals and Calendars.** Each member shall be furnished with a printed copy of the daily Journal and the daily Calendar.

#### ARTICLE 43. MISCELLANEOUS

**Rule 4301. Employees; Employment.** Such employees as are necessary to enable the officers, members and committees to properly perform their duties and transact the business of the House with efficiency and economy shall be recruited under the supervision of the director of legislative administrative services subject to approval of the Speaker. The director of legislative administrative services shall keep a roster of the employees of the House and an account of the hours of service performed. No employee shall lobby for or against any measure pending in the Legislature and any employee violating this rule shall be discharged immediately.

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

**Rule 4303. Petitions; Presentation.** Petitions and memorials addressed to the House shall be presented by a member.

**Rule 4304. Petitions; Endorse Name.** Each member presenting a petition or memorial shall endorse it with their name or the name of the committee, and a brief statement of its subject.

**Rule 4305. Open Meetings.** The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the House of Representatives and all of its standing committees, select committees, special committees and subcommittees of any of such committees. Caucuses of the House majority party may be closed as determined by the Majority Leader. Caucuses of the House minority party may be closed as determined by the Minority Leader.

#### ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS

**Rule 4501. Referral of Executive Reorganization Orders.** Whenever an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the Speaker.

**Rule 4502. Committee Report on Executive Reorganization Orders.** If the committee to which an executive reorganization order is referred recommends that the executive reorganization order be disapproved, the committee, not later than 15 calendar days after referral of the executive reorganization order to the committee, shall introduce a resolution for disapproval of the executive reorganization order. Such resolution shall be accompanied by the report of the committee recommending that the

resolution be adopted.

**Rule 4503. Return in Event of Committee's Failure to Report.** If a committee fails to report upon an executive reorganization order within 15 calendar days after the executive reorganization order is referred to the committee, the committee shall be deemed to have recommended approval of the executive reorganization order.

**Rule 4504. Special Order of Business for ERO.** When a resolution for disapproval of an executive reorganization order is introduced and accompanied by the committee's report recommending adoption of the resolution, action on the resolution shall be made the special order of business on a particular day and hour specified by the Speaker but not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. A resolution for disapproval of an executive reorganization order shall be considered under the order of business Final Action and shall be subject to debate and final action by the House.

**Rule 4505. Nonapplication to Bills.** This Article 45 shall not apply to bills amending or otherwise affecting executive reorganization orders.

**Rule 4506. Nonaction When Moot.** The House shall act on any resolution for disapproval of an executive reorganization order unless at the time set for such action the Senate has already rejected such executive reorganization order.

#### ARTICLE 47. IMPEACHMENT

**Rule 4701. Impeachment; Powers.** Nothing in the rules of the House or in any statute shall be deemed to impair or limit the powers of the House of Representatives with respect to impeachment.

**Rule 4702. Same; Select Committee.** The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeachment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party members in the same proportion as for the entire House membership.

**Rule 4703. Same; Reference.** The Speaker may refer any impeachment inquiry or other impeachment matter to any standing committee or any select committee appointed under Rule 4702, and any committee to which such a referral has been made shall meet on the call of its chairperson.

**Rule 4704. Same; Report.** Whenever a report is made by a committee to which an impeachment inquiry or other impeachment matter has been referred, the report thereon shall be made to the full House of Representatives, except that any such report may be submitted preliminarily to the Speaker.

**Rule 4705. Same; Call into Session.** The Speaker or a majority of the members then elected (or appointed) and qualified of the House of Representatives may call the House of Representatives into session at any time to consider any impeachment matter.

**Rule 4706. Same; Procedure.** The Speaker and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the House of Representatives.

#### ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS

**Rule 4901. Complaint.** When any member of the House of Representatives desires to lodge a complaint against any other member of the House of Representatives,

requesting that the member be reprimanded, censured or expelled for any misconduct, the complaining member shall file a written statement of such complaint with the chief clerk, and such complaint shall bear the signature of the complaining member.

**Rule 4902. Select Committee; Consideration of Complaint.** (a) Whenever any complaint has been filed under Rule 4901, the Speaker shall appoint a select committee of six members for consideration thereof except that if the complaint is filed against the Speaker, the Speaker Pro Tem shall appoint the select committee of six members. A select committee created under this subsection (a) shall be comprised equally of majority and minority party members.

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of the Kansas Statutes Annotated.

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

**Rule 4903. Action by House.** Upon receiving any report under Rule 4902, the House of Representatives may, without further hearing or investigation, reprimand, censure or expel the member complained of. Reprimand, censure or expulsion of a member shall require a  $\frac{2}{3}$  majority vote of those members elected (or appointed) and qualified of the House of Representatives.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Vickrey, **HCR 5001**, as follows, was introduced and adopted:

**HCR 5001**, by Representatives Merrick and Burroughs, A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Senate and the House of Representatives meet in joint session in Representative Hall at 6:00 p.m. on January 15, 2015, for the purpose of hearing the message of the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5001**, Speaker Merrick appointed Reps. Rhoades, Concannon and Wolfe Moore to escort the Governor.

Also, Reps. Kelly, Schwartz and Houston to escort the Lieutenant Governor.

Also, Reps. Highland, Lunn and Carmichael to escort the Supreme Court.

Also, Reps. Corbet, Couture-Lovelady and Lusk to escort the Senate.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

**HCR 5002**, by Reps. Merrick and Burroughs, A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2015-2016 biennium.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the following joint rules shall be the joint rules of the Senate and House of Representatives for the 2015-2016 biennium.

### JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES 2015-2016

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

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

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

**Joint rule 2. Joint sessions.** (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

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

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

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

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be



deemed to be killed.

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

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

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not less than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; subject matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the



house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of  $\frac{2}{3}$  of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

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

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

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

such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

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

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

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on February 2, 2015, during the 2015 regular session and on February 1, 2016, during the 2016 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 11, 2015, during the 2015 regular session and on February 10, 2016, during the 2016 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 9, 2015, during the 2015 regular session and on February 8, 2016, during the 2016 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 13, 2015, during the 2015 regular session and on February 12, 2016, during the 2016 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the

house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 27, 2015, during the 2015 regular session and on February 26, 2016, during the 2016 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 25, 2015, during the 2015 regular session and March 23, 2016, during the 2016 regular session.

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

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

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

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

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 3, 2015, during the 2015 regular session and after April 1, 2016, during the 2016 regular session except bills vetoed by the Governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

**Joint rule 5. Closure of meetings to consider matters relating to security.** Any standing committee of the House of Representatives, any standing committee of the Senate, the Legislative Coordinating Council, any joint committee of both houses of the legislature, any special or select committee of the House of Representatives or the Senate, the House of Representatives in session, the Senate in session or a joint session

of the House of Representatives and the Senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the State of Kansas.

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

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

**HB 2001**, AN ACT concerning property taxation; relating to distribution of taxes paid under protest; amending K.S.A. 2014 Supp. 79-2005 and repealing the existing section, by Representative Brunk.

**HB 2002**, AN ACT concerning crimes and punishment; relating to sexual exploitation of a child; amending K.S.A. 2014 Supp. 21-5510 and repealing the existing section, by Representative Sloan.

**HB 2003**, AN ACT concerning cities; relating to annexation; amending K.S.A. 12-520c and K.S.A. 2014 Supp. 12-520 and repealing the existing sections, by Representative Houser.

**HB 2004**, AN ACT creating the Kansas right to try act, by Representatives Hildabrand, Kiegerl and McPherson.

**HB 2005**, AN ACT concerning the office of information technology services; relating to separate agency status for budgetary purposes, by Committee on Legislative Post Audit Committee.

**HB 2006**, AN ACT concerning veterans; relating to license plates for disabled veterans; pertaining to parking in certain public parking garages; amending K.S.A. 2014 Supp. 8-161 and repealing the existing section, by Representative Goico.

**HB 2007**, AN ACT concerning law enforcement; creating a law enforcement mutual aid region for critical incidents, by Representatives Dove, Bradford, Campbell, Clayton and Rooker.

**HB 2008**, AN ACT repealing K.S.A. 2014 Supp. 46-1130 and 46-1132; concerning school district performance audits, by Committee on Legislative Post Audit Committee.

**HB 2009**, AN ACT concerning the division of post audit; relating to background checks; amending K.S.A. 2014 Supp. 46-1103 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**HB 2010**, AN ACT concerning the legislative post audit act; providing for information technology audits; amending K.S.A. 46-1128 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**HB 2011**, AN ACT enacting the cannabis compassion and care act; providing for the legal use of cannabis for certain debilitating medical conditions; providing for the

registration and functions of compassion centers; authorizing the issuance of identification cards; establishing the compassion board; providing for administration of the act by the department of health and environment; amending K.S.A. 79-5210 and repealing the existing section, by Representative Finney.

**HB 2012**, AN ACT concerning the minimum wage; enacting the Kansas working families pay raise act; amending K.S.A. 2014 Supp. 44-1203 and repealing the existing section, by Representative Ward.

**HB 2013**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the omega psi phi license plate, by Representative Finney.

**HB 2014**, AN ACT concerning water; authorizing the Kansas water office to establish the clean drinking water fee with the approval of the Kansas water authority; establishing a cap on the clean drinking water fee; uses of fee moneys; amending K.S.A. 2014 Supp. 82a-2101 and repealing the existing section, by Representative Sloan.

### MESSAGES FROM THE SENATE

Announcing adoption of **SR 1701**, a resolution relating to the organization of the 2015 Senate and selection of the following officers:

Susan Wagle, President,  
 Jeff King, Vice President,  
 Terry Bruce, Majority Leader,  
 Anthony Hensley, Minority Leader,  
 Corey Carnahan, Secretary,  
 Charles (Nick) Nicolay, Sergeant-at-Arms,

and awaits the pleasure of the House of Representatives.

Also, announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2015 session of the Legislature is duly organized and ready to receive communication. Senators Abrams and Pettey are appointed as Senate members of the committee to wait upon the Governor.

On motion of Rep. Vickrey, **SCR 1601** was introduced and adopted.

In accordance with **SCR 1601**, Speaker Merrick appointed Reps. Dove, Hawkins and Wilson to wait upon the Governor.

### INTRODUCTION OF GUESTS

Speaker Merrick introduced Dr. Douglas Gruenbacher, President of the Kansas Academy of Family Physicians. Dr. Gruenbacher of Quinter, Kansas is the 67<sup>th</sup> president of the Kansas Academy of Family Physicians. He is a partner of Bluestem Medical, LLP, where he and his wife, Shelly Gruenbacher, MD, practice medicine. He is also a staff physician at Gove County Medical Center, Quinter.

Dr. Gruenbacher grew up in Andale, Kansas and attended Kansas State University for his undergraduate studies and is a 1999 graduate of the University of Kansas School of Medicine-Wichita.

In 2012, Dr. Gruenbacher was selected by the AAFP as the family physician Torchbearer in the 2012 Olympic Torch Relay in England. He is also the recipient of the University of Kansas Preceptor of the Year Award (2010). Dr. Gruenbacher and his wife, Dr. Shelly Gruenbacher, precept 3<sup>rd</sup> and 4<sup>th</sup> year students year round and are highly involved in the KAFP Faces in Family Medicine Program.

The association sponsors the Doctor of the Day program and provides daily assistance for health concerns of those serving the Statehouse during the session.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 13, 2015.

# Journal of the House

## SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 13, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Hutton and Kelley were excused on excused absence by the Speaker.

Member-Elect Claeys was excused on excused absence by the Speaker.

Prayer by the Rev. Eunice Brubaker, Topeka:

God in Heaven,  
With the excitement and fanfare of the “first day of a new session” over,  
we come together to begin the work of making Kansas a better state.  
There were many promises made to get this done,  
but as we gather here, we recognize there are many differences  
in how these promises are to be fulfilled.  
I pray that You give this body of leaders a spirit of unity in their diversity.  
For our returning representatives,  
help them to be open to new ideas and willing to listen and learn from  
the new voices that have joined this body.  
For our new freshmen representatives,  
may their excitement, determination and ideologies be contagious,  
but at the same time teach them to be patient, teachable and understanding.  
As this body works together in a spirit of cooperation  
and collaboration with one another,  
give them the grace and ability to have the same spirit  
in working with the Senate, the Governor, and other heads of state.  
Lord, for Kansas to be the kind of state that brings honor to You,  
and be an example to other states,  
we need Your help.  
I come before You and ask for this help today in Your Name,  
Amen.

The Pledge of Allegiance was led by Rep. Dierks.

**PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Dierks are spread upon the Journal:

Yesterday, Governor Brownback and others mentioned the important role our spouses and families play in our success.

Columbus, Ohio, is the birth place of my mother, Evelyn Collier, and three of our children, Erich, Christopher and Susan Dierks. My husband, Heinz, is also an alum of Ohio State University.

This morning in the Statehouse located in Columbus, Ohio, the members of that legislative body are celebrating an event just as we have on several occasions.

Yesterday, young men took to the football field in Ohio. Those men became the champions of the first National Collegiate playoff.

I wanted to share this with you to emphasize that no matter where we live, there are families who are proud of their youth, just as we in Kansas are proud of our young men and women.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2015**, AN ACT concerning the revised Kansas juvenile justice code; relating to sentencing for misdemeanor offenses; amending K.S.A. 2014 Supp. 38-2369 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following prefiled bills and resolutions were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2014**.

Appropriations: **HB 2005, HB 2010, HB 2012**.

Education: **HB 2008**.

Federal and State Affairs: **HB 2007**.

Health and Human Services: **HB 2004, HB 2011**.

Judiciary: **HB 2002, HB 2009**.

Local Government: **HB 2003, HB 2006**.

Rules and Journal: **HCR 5002, HR 6004**.

Taxation: **HB 2001**.

Transportation: **HB 2013**.

**COMMUNICATIONS FROM STATE OFFICERS**

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 75-723, Abuse, Neglect and Exploitation Unit (ANE), Annual Report July 1, 2013-June 30, 2014.

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



**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Highland, **HR 6005**, by Reps. Highland and Estes, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6005**—A RESOLUTION congratulating and commending the members of the 2015 Kansas Teacher of the Year team.

WHEREAS, The Kansas state department of education sponsors the Kansas Teacher of the Year program which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state. The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers — one elementary and one secondary — in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year; the Kansas Teacher of the Year being chosen from among the eight finalists. The Kansas Teacher of the Year is awarded the Hubbard Foundation Kansas Teacher of the Year Ambassadorship, which enables the person selected to devote significant time during the second semester to activities to support the mission of the program. The 2015 Kansas Teacher of the Year and finalists were honored at an awards banquet on November 22, 2014. All members received a cash award as well as mementos of the events; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers in partnership with the Voya Foundation and People to People Ambassador Programs; and

WHEREAS, The 2015 Kansas Teacher of the Year is Shannon Ralph, Dodge City USD 443, and the regional finalists are Beau T. Bragg, Bonner Springs-Edwardsville USD 204; Abby M. Hedrick, Paola USD 368; Jennifer Hofferber, Liberal USD 480; Lisa Holt, Winfield USD 465; Jamie McDaniel, Paola USD 368; Dennis Munk, Haysville USD 261; and Kimberly Nelson, Bonner Springs-Edwardsville USD 204: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend the members of the 2015 Kansas Teacher of the Year team and wish Mrs. Ralph success in the national competition.

There being no objection, the following remarks of Rep. Estes are spread upon the Journal:

The 2015 Kansas Teacher of the Year was selected from a pool of nearly 100 nominations. The 2015 finalists are: Jennifer Hofferber, a special education teacher at Sunflower Intermediate School in Liberal (Liberal USD 480); Jamie McDaniel, a fifth-grade teacher at Sunflower Elementary School in Paola (Paola USD 368); Abby M. Hedrick, a seventh-grade mathematics teacher at Paola Middle School (Paola USD 368); Beau T. Bragg, a physical education teacher at Bonner Springs Elementary School in Bonner Springs (Bonner Springs/Edwardsville USD 204); Kimberly Nelson, a sixth grade English language arts teacher at Robert E. Clark Middle School in Bonner Springs (Bonner Springs/Edwardsville USD 204); Lisa Holt, a special education teacher

at Country View Elementary School in Winfield (Winfield USD 465); and Dennis Munk, a physical education teacher, including medical career exploration, sports medicine and health science, at Campus High School in Wichita (Haysville USD 261).

Shannon Ralph, a high school biology teacher at Dodge City High School (Dodge City USD 443), was named the 2015 Kansas Teacher of the Year. She has clearly demonstrated her ability to innovate, lead and inspire both within and outside the classroom. Thanks to her passion for the sciences and her ability to really connect with her students, Shannon has substantially increased Dodge City students' interest in science learning and serves as a powerful role model for STEM careers.

Mrs. Ralph has taught in Kansas at the middle school and high school level for 18 years, 13 of which have been at Dodge City High School teaching biology, honors biology and Advanced Placement biology. She is an ardent proponent of inquiry-based learning and as such co-authored and piloted Biology Rocks! curriculum, which is focused on developing inquiry-based labs to improve critical thinking skills and enhance student engagement. Ralph has served as DCHS' Science Department chair since 2003 and Professional Learning Communities Facilitator since 2005. She also serves as a mentor for new teachers. Under her leadership, DCHS was an early implementer of Kansas' Next Generation Science Standards.

Among her many honors, she was named Kansas Master Teacher by Emporia State University in 2008 and received the Wolf Teaching Excellence Award from the University of Kansas in 2014. She spent two summers working at the University of Kansas in the Research Experience for Teachers program and has presented at several national conferences, including the National Science Teacher Association Conference and the National Association of Biology Teacher Conference.

One of her colleagues at DCHS writes that she is a “spark.” Her passion for science and learning is evident as soon as you step in the door to her room and is incredibly contagious. Shannon uses her boundless energy to ensure her students feel confident and are successful in their learning. Shannon can convince even the most reluctant of students that biology, well....biology really does rock!

DCHS Principal Jacque Feist adds, “Students will work hard for a teacher who works just as hard, if not harder for them and this is what Mrs. Ralph does for all of her students. The respect she has for her students is profound and it comes back to her tenfold.”

When asked why she chose to teach instead of enter the medical profession, Ralph explains “I am crazy in love with this profession. I do not tire of teenagers; I am energized by them. I do not work with co-workers; I work with colleagues who inspire me. I am not drained by teaching a concept until students understand; I am fueled when a light bulb turns on for them.”

Security Benefit, the chief corporate sponsor of the Kansas Teacher of the Year program, presented Ralph with a \$4,000 cash award.

As the 2015 Kansas Teacher of the Year, Ralph will also receive an educational technology package from SMART Technologies ULC of Canada.

In addition, Ralph will receive the Kansas Teacher of the Year Lifelong Learning Scholarship to attend participating universities free of charge as long as she continues teaching in Kansas, and The Hubbard Foundation Kansas Teacher of the Year Ambassadorship.

All eight members of the 2015 Kansas Teacher of the Year team will receive a cash

award from Security Benefit; a Teaching Excellence Award from SMART Technologies and will also receive a marble apple from The Master Teacher in Manhattan.

The Teacher of the Year program has state and national competitions. The Kansas program is sponsored by the Kansas State Department of Education.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 14, 2015.

# Journal of the House

THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 14, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

## COMMUNICATIONS FROM STATE OFFICERS

*To all to whom these presents shall come, Greetings:*

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that J.R. Claey's, Sixty-Ninth District, was elected to the Kansas House of Representatives on November 4, 2014 for a two-year term and was administered the following oath of office on January 13, 2015.

State of Kansas  
County of Shawnee}SS.

I, J.R. Claey's, do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Kansas House of Representatives, District 69, so help me God.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and cause to be affixed my official seal this 13<sup>th</sup> day of January, A.D. 2015.

KRIS KOBACH  
*Secretary of State*  
ERIC RUCKER  
*Assistant Secretary of State*

The House is now organized with 125 members.

The roll was called with 123 members present.  
Reps. Curtis and Kelley were excused on excused absence by the Speaker.

Prayer by the Rev. Eunice Brubaker, Topeka:

Abba God,  
 Thank You for Your love, faithfulness and blessings  
 that You give to us each day.  
 As we think about this great state of Kansas  
 and the people who live here—  
 from Abbyville to Zurich, they all have a voice  
 and a right to be heard.  
 Whether it be the five in Freeport,  
 fourteen in Cedar City,  
 eighteen in Frederick,  
 or the 300,000 plus in Wichita,  
 the 173,000 plus in Overland Park,  
 or the 145,000 plus in Kansas City—  
 these leaders are here to represent each individual,  
 to listen to their voice,  
 and to address their concerns and needs.  
 They cannot do this on their own.  
 It is too overwhelming.  
 They need You to provide wisdom, guidance, direction,  
 strength and courage.  
 Also be close to Representative Curtis today  
 in the loss of her father.  
 Bring comfort, grace and peace  
 to her in this time of sorrow.  
 On their behalf, I humbly ask for all this in Your name,  
 Amen

The Pledge of Allegiance was led by Rep. Alcalá.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2016**, AN ACT amending the school sports head injury prevention act; amending K.S.A. 2014 Supp. 72-135 and repealing the existing section, by Committee on Health and Human Services.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2015**.

**MESSAGE FROM THE SENATE**

Announcing adoption of **HCR 5001**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

The following escorts are appointed for the State of the State:

Escort the Governor: Senators Masterson and Hawk

Escort the Lieutenant Governor: Senators Pilcher-Cook and Haley

Escort the Supreme Court: Senators Knox and Kelly

### **COMMUNICATIONS FROM STATE OFFICERS**

From Ray Roberts, Secretary of Corrections, pursuant to K.S.A. 75-52,146, Kansas Department of Corrections, FY 2014 Annual Report.

From Earnest A. Lehman, Chair, Kansas Electric Transmission Authority, 2014 Annual Report to the Governor and the Legislature.

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

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2017**, AN ACT concerning crimes and punishment; relating to aggravated battery; amending K.S.A. 2014 Supp. 21-5413 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2018**, AN ACT concerning visual depictions of children; creating the crimes of unlawful transmission of a visual depiction of a child and unlawful possession of a visual depiction of a child; relating to sexual exploitation of a child; amending K.S.A. 2014 Supp. 21-5510 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2019**, AN ACT concerning property taxation; relating to the Kansas educational building fund; relating to the use of moneys credited thereto; amending K.S.A. 76-6b02 and 76-6b03 and K.S.A. 2014 Supp. 76-6b01 and repealing the existing sections, by Committee on Vision 2020.

**HB 2020**, AN ACT concerning military service members; relating to home and community based services programs; pertaining to dependents, by Committee on Vision 2020.

**HB 2021**, AN ACT concerning the Kansas highway patrol; relating to state employee health plan continuation; pertaining to certain retirees; duties of superintendent of the Kansas highway patrol and state insurance commissioner; amending K.S.A. 75-6511 and repealing the existing section, by Committee on Vision 2020.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 15, 2015.

# Journal of the House

## FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 15, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 117 members present.

Reps. Curtis, Goico, Henry, Hutton, Kelley, Kiegerl, Sawyer and Schwab were excused on excused absence by the Speaker.

### APPOINTMENT

Speaker Merrick announced the appointment of the Rev. Eunice Brubaker, Church of the Nazarene District Coordinator for Church Plants, Topeka, as Chaplain of the House.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for this another new beautiful day with sunshine  
(something we haven't seen much of lately),  
and a day where these leaders come to work together.  
As we remember the late Dr. Martin Luther King on his actual birthday,  
we are reminded of the wise words he often spoke:  
"If I cannot do great things, I can do small things in a great way."  
Help our leaders in everything they do and say,  
no matter how small, to do and say them in a great way.  
I also pray that as our leaders begin to make serious decisions  
that will affect the citizens of this state,  
they will follow and adhere to the following  
challenge that Dr. King gave:  
"On some positions, cowardice asks the question, is it expedient?  
And then expedience comes along and asks the question, is it politic?  
Vanity asks the question, is it popular?  
Conscience asks the question, is it right?  
There comes a time when one must take the position  
that is neither safe nor politic nor popular,  
but he or she must do it because conscience tells him or her it is right."  
Lord, may it be so with these ladies and gentlemen.  
Amen.

The Pledge of Allegiance was led by Rep. Clayton.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

**HB 2022**, AN ACT concerning law enforcement officers; relating to the office of sheriff; qualifications for office; amending K.S.A. 2014 Supp. 19-801b and repealing the existing section, by Committee on Judiciary.

**HB 2023**, AN ACT concerning legislative review of exceptions to open records; amending K.S.A. 2014 Supp. 45-229 and 60-3351 and repealing the existing sections, by Committee on Judiciary.

**HB 2024**, AN ACT concerning crimes and punishment; relating to domestic battery; amending K.S.A. 2014 Supp. 21-5414 and repealing the existing section, by Committee on Judiciary.

**HB 2025**, AN ACT concerning the Kansas law enforcement training act; amending K.S.A. 2014 Supp. 74-5616 and 74-5622 and repealing the existing sections, by Committee on Judiciary.

**HB 2026**, AN ACT concerning the state health care benefits program; relating to pharmacy benefits managers; requirements and fiduciary duties; audit of the pharmacy benefits management contract, by Committee on Federal and State Affairs.

**HB 2027**, AN ACT concerning education; creating the efficient operation of schools task force; relating to annual audits of school districts; relating to audits of the state department of education; amending K.S.A. 2014 Supp. 46-1226 and repealing the existing section; also repealing K.S.A. 2014 Supp. 46-1130, 46-1132 and 46-1133, by Committee on Education.

**HB 2028**, AN ACT concerning education; creating the Kansas education standards study commission, by Committee on Education.

**HB 2029**, AN ACT concerning domesticated deer; relating to identification of deer; amending K.S.A. 2014 Supp. 47-2101 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2030**, AN ACT concerning agriculture; relating to the Kansas pet animal act; amending K.S.A. 47-1702, 47-1703, 47-1704, 47-1712, 47-1718, 47-1719, 47-1720, 47-1733 and 47-1734 and K.S.A. 2014 Supp. 47-1701, 47-1706, 47-1709, 47-1710, 47-1711, 47-1721, 47-1723, 47-1725, 47-1726 and 47-1731 and repealing the existing sections; also repealing K.S.A. 47-1717, 47-1732 and 47-1736, by Committee on Agriculture and Natural Resources.

**HB 2031**, AN ACT concerning school districts; relating to teacher training and student instruction; addressing child sexual abuse; establishing Erin's law, by Committee on Corrections and Juvenile Justice.

**HB 2032**, AN ACT relating to diabetes information reporting, by Committee on Health and Human Services.

### HOUSE CONCURRENT RESOLUTION No. **HCR 5003**—

By Committee on Federal and State Affairs

**HCR 5003**, A PROPOSITION to amend section 3 of article 4 of the constitution of the state of Kansas, relating to the judiciary and recall elections.



*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 3 of article 4 of the constitution of the state of Kansas is hereby amended to read as follows:

"Article 4. – ELECTIONS

"§ 3. **Recall of elected officials.** All elected public officials in the state, ~~except~~ *including* judicial officers, shall be subject to recall by voters of the state or political subdivision from which elected. Procedures and grounds for recall shall be prescribed by law."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this statement is to make all elected judicial officers subject to recall by voters in the same manner as all other elected public official of the state or political subdivisions.

"A vote in favor of the proposition would provide that all judges of the district court, court of appeals and justices of the supreme court would be subject to recall elections.

"A vote against the proposition would continue the current exclusion of all judges of the district court, the court of appeals and justices of the supreme court from recall elections."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Health and Human Services: **HB 2016, HB 2020.**

Insurance: **HB 2021.**

Judiciary: **HB 2017, HB 2018.**

Taxation: **HB 2019.**

**COMMUNICATIONS FROM STATE OFFICERS**

From Gary Harshberger, Chair, Kansas Water Authority, 2015 Annual Report to the Governor and Legislature.

From Dale Dennis, Deputy Commissioner of Education, Division of Fiscal and Administrative Services, Kansas State Department of Education, Tax Credit for Low Income Students Scholarship Program, Legislative Report for January 2015.

From Debra L. Billingsley, Executive Secretary, Kansas Board of Pharmacy, pursuant to K.S.A. 65-4102(b), Report on Controlled Substances for Scheduling, Rescheduling or Deletion.

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

On motion of Rep. Vickrey, the House recessed until 6:00 p.m..

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#### EVENING SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

It being the hour in accordance with **HCR 5001** to meet in joint session with the Senate to hear the message of the Governor, Reps. Corbet, Couture-Lovelady and Lusk escorted President Wagle and members of the Senate to seats in the House.

Reps. Highland, Lunn and Carmichael and Senators Knox and Kelly escorted the Supreme Court to seats in the House.

Reps. Kelly, Schwartz and Houston and Senators Pilcher-Cook and Haley escorted the Lieutenant Governor to a seat in the House.

Reps. Davis, Concannon and Wolfe Moore and Senators Masterson and Hawk escorted the Governor to the rostrum.

#### **Governor Sam Brownback's Complete Text of the State of the State**

Mr. Speaker, Madam President, , Legislators, Elected Officials, Cabinet Members, Justices of the Kansas Supreme Court, Leaders of Kansas sovereign Native American Nations, Lt. Governor and his wife Ruth, the first lady of Kansas, my wife Mary...My Fellow Kansans...

One person I want to recognize in particular is the new House Minority Leader, Tom Burroughs. Tom, welcome to leadership.

Good evening and welcome back.

Before I begin the State of the State in earnest this evening, I want to pay tribute to the men and women of our armed forces. The strength of Kansas is best represented by those who risk their lives to protect us.

Major General Paul Funk from Fort Riley currently is leading the fight against ISIS. So obviously he is not here with us tonight. Instead we are honored to recognize all the brave Kansans who serve through the presence of Brigadier General Eric Wesley and Command Sergeant Major Maurice Jackson of Fort Riley.

Please help me welcome and recognize them.

I am informed by the clerks that of the 165 current members of the Legislature, about 100 of them are new to the body since 2010.

That is to say, many of you have never had the opportunity as Legislators to hear a different Governor give a State of the State Speech.

And for that, I don't apologize.

But, I will keep this speech as short and concise as I can.

Throughout my career in public service, I have been driven by the belief that Government exists to serve the people. Those who lead...those who govern, must do so with courage and compassion. In that way, those we serve can live in freedom and dignity.

That belief continues to guide my actions today, as it did four years ago when I gave my first State of the State message.

At that time, we gathered to address the challenges confronting our state.

Two of the biggest were our economy and budget.

On that January night, four years ago, more than 100,000 Kansans were actively looking for work and could not find it. Kansas ranked near the bottom among US states in private sector job growth. Personal income growth was low and poverty was headed up.

From 1999 to 2009, the number of Kansans in private sector employment had actually dropped – actually dropped – while state general fund spending had grown by more than a third.

In Fiscal Year 2010, for the first and only time in Kansas history, the State General Fund ended the fiscal year in a negative status.

Our economic and fiscal course was clearly unsustainable. It was time for a change.

From this podium, I announced that the days of ever-expanding government were over.

And we went to work.

We reformed state government to better serve Kansans by eliminating, consolidating or privatizing multiple state agencies and redundant functions, and reduced the public sector workforce by more than three thousand positions.

We embarked on a budgetary course that saw State General Fund expenditures grow at a lower rate than each of the previous nine Governors, while continuing to support core government functions and serving Kansans.

With bipartisan support, we overhauled our state's economic development strategy, established rural opportunity zones, and strengthened KPERS.

Four years later, I submit these facts for your review.

Kansas has created more than 59,000 new private sector jobs. Our unemployment rate is tied for the tenth lowest in America and more Kansans are working today than ever in the history of the state.

Personal income is rising, we are addressing the causes of poverty and welfare rolls have been cut in half.

Thanks to the efforts of our teachers and parents, Kansas students score among the best in the country, record numbers of Kansans are enrolled in technical education and our institutions of higher education are global leaders in fields from animal health to aeronautics to the universal fight against cancer.

Mr. Speaker, Madam President, it is for these reasons and more that I can report to

you tonight that Kansas is on the rise, and the State of our State is STRONG.

As we have always known in Kansas, great achievements require hard work. It requires the courage to face our challenges head-on and find solutions that work for Kansans.

The goal of the Department for Children and Families is to be the agency of opportunity, helping Kansans move from poverty to prosperity.

One of our great successes has been the number of people who have left welfare and found work. We have seen more than a 50 percent decline in TANF recipients in the last four years.

Instead of welfare, we want Kansans to enjoy the dignity of work and build a better life for themselves and their families. This is to be celebrated.

Valerie Cahill is a single mother who was on public assistance. With the help of our Employment and Training program, Valerie is now earning full-time wages in the medical industry and is off welfare assistance.

Valerie and her son Cortez, are here with us tonight. Valerie, will you and your son please stand so we can congratulate you on the courage and perseverance that has allowed you to build a better life for you and your son.

We will continue to move forward, helping people move from dependence on the government to independence.

We will put forth programs that require more able-bodied welfare recipients to apply for work or work training as a condition of receiving the welfare benefit.

One of the key ways out of poverty and despair is through work. That brings hope and that brings a path forward.

To move forward, we need all of Kansas growing.

This includes our urban cores that in too many cases have seen their problems multiply and their solutions divide.

In the first term, we implemented Rural Opportunity Zones that this legislature passed. It has been a success. 77 counties have embraced it with more than 2,000 applications received – and more than a quarter of those are from out-of-state. People are coming to Kansas for opportunity and growth.

It is time to take this same successful concept to our urban core.

I am proposing that we provide the same growth tools to high poverty areas in Kansas City, Wichita and Topeka. The same requirements for local participation will exist as well.

This will help more Kansans succeed and will draw more people to our state.

Now, even as we celebrate our successes, we must acknowledge that the most recent data regarding state government revenue and expenditures present a clear challenge that must be addressed.

For the past several weeks, we have been in consultation with government, business and industry leaders regarding our shared fiscal concerns. They have been generous with their time and frank with their advice.

Tomorrow I will present to the legislature a proposed two-year budget that is in

balance – with revenues exceeding expenditures each year.

And we will continue our march to zero income taxes.

Because the states with no income tax consistently grow faster than those with high income taxes.

There may be some who consider this course too bold...well, I'm the sort of guy who would have sent Alex Gordon from third base.

I propose this budget as a starting point to your deliberations. I understand and appreciate that the "power of the purse" is yours and does not belong to any other branch of government.

In my travels around Kansas I've found what I expect most of you have during your visits with the people we serve.

Kansans are sensible, decent, compassionate, thoughtful people.

They prize liberty, celebrate achievement and recognize an obligation to their fellow man.

They want government to focus on its core functions, to perform them well, to provide quality services, good schools, good roads and low taxes.

Kansans understand the importance of living within our means and meeting our obligations.

Kansans know the importance of a promise whether to friends, family or a business. And recognizing that promise, they pay their debts on time and in full. The Kansas Constitution should reflect that as well.

I am proposing the Legislature pass a Constitutional Amendment and put it before Kansas voters stating that the debt of the state is a general obligation of the state and we will pay it first.

This is good policy for our state.

Those who make state policy in the people's name have to make the tough choices. Those who refuse, don't lead.

Everyone will be able to find things in the budget I put forth that they disagree with. I hope as you review the budget, you put forth what you would do to make it better.

But as we go about this work, please bear two things in mind.

First, the family budget is more powerful than the government budget.

Second, a growing economy that is adding private sector jobs and increasing personal income can fix a government budget.

A growing government budget cannot bring lasting prosperity to its citizens by appropriating ever more of their earnings.

If we could spend our way to paradise, we would already be there.

Forty Kansas Governors held office before the State General Fund Expenditures reached \$1 Billion for the first time.

The next four Governors saw that number hit \$6 Billion.

That government spending growth was not reflective of the trajectory of our population or of the economy. It was government getting too big too fast.

The era of ever expanding government is over, because it has to be

The major drivers in state spending increases are what you think they are: K-12 education, public pensions and Medicaid.

Over the past several years, in addition to providing medical care in war zones around the world, Lt Governor Colyer has led our efforts to improve services and control costs in Medicaid.

The results have been good.

Waiting lists are down and services are up. Costs are growing, but at a slower rate than before.

On pensions, we have enacted reform and succeeded in devoting considerably more resources to what was a badly underfunded system.

In 2010, according to the Pew Center, Kansas had the second worst funded pensions system among all the U.S. states.

Thanks to the reforms undertaken since, done with bipartisan support, our rankings have improved and we are now middle-of-the-pack.

Understand though, that the unfunded liability in KPERS vastly exceeds any issues over our year-to-year budget. It dwarfs every other item on the state balance sheet.

All of those truly interested in fiscal prudence should support putting our state retirement system on a sound long-term footing.

Now, on the matter of K-12 spending.

A majority of the projected shortfall we face is due to increases in K-12 spending since Fiscal Year 2014.

I want to repeat that.

A majority of the projected shortfall we face is due to increases in K-12 spending

For decades now, Kansas has struggled under a school finance formula which is designed not to be understood---to frustrate efforts at accountability and efficiency.

A formula designed to lock in automatic, massive increases in spending unrelated to actual student populations or improved student achievement.

A formula which calculates that we have added more than 100,000 new students to the public schools while the actual census has grown by a fraction of that number---an accounting scheme that claims cuts to per pupil spending even as budget increases dramatically outpace increases in student population.

Not surprisingly, that formula has been under litigation in Kansas for the past 40 years. Just within the last few weeks, the latest ruling was issued in a suit filed under the previous Administration.

In the words of that court ruling, "one cannot classify the school financing structure as reliably constitutionally sound."

I agree.

Friends, it is time for a new school finance formula.

That formula should reflect real-world costs and put dollars in classrooms with real students, not in bureaucracy and buildings and artificial gimmicks.

That formula should be about improving student achievement and school accountability, not bureaucratic games.

My suggestion is simple, and I believe necessary – a timeout in the school finance wars.

In this two-year budget, the Legislature should appropriate money directly to school districts, so it can be spent where it is needed most, and that's in the classroom.

At the same time, the Legislature should repeal the existing school finance formula and allow itself sufficient time to write a new modern formula that meets our needs for great 21<sup>st</sup> Century schools.

And as we go about that process, it should be accountable to local parents and voters, because here...the people rule.

Accountability. You have heard me say that we must be accountable with our budget and education policy.

That accountability should extend to how our elected officials and judiciary are selected.

Currently, most elected officials in Kansas are chosen in elections when the fewest voters participate.

In general, Spring elections see a mere fraction of the voters who participate in Fall elections...generally with about 10 percent of eligible voters coming to the polls in the Spring.

Yet that's when most of our elected officials are selected. That does not honor our values of wanting higher voter participation.

It is time to move local elections to the Fall.

It also is time we change the way we pick our Supreme Court.

Recently, the Legislature introduced a greater element of public accountability to judicial selection by reforming the process for selecting appellate judges in Kansas.

It is time for similar reforms to apply to the Kansas Supreme Court.

Currently, we have the least democratic system in America to select Supreme Court justices.

The Legislature should put before Kansas voters a proposed Constitutional amendment for a more democratic selection process. One either based on the federal model or providing for direct election of Supreme Court justices, as we did for the first 100 years of our history.

With the court involving itself in so many public policy issues, it is time the selection process be more democratic.

Now we turn to a subject that will directly affect the future of every single Kansan. And that is.... water.

In my first term I challenged my administration and the citizens of Kansas to develop a long-term vision for the future of the water supply in our state.

And you answered that challenge. Now it is time for us to act.

Water is an intensely passionate issue where local situations vary enormously.

We have not yet accomplished a plan that ensures adequate water supplies throughout our state for the next 50 years but this will happen before my second term is concluded.

When I began my comments this evening, I told you that throughout my career, I have been driven by a belief that we are here to serve others. It is a God-given responsibility that we, as elected officials must accept and act upon.

We are at our best when we stir within ourselves our better angels. When our hearts are tender to what God is tender to...the poor, the voiceless, the powerless.

We should see human life as sacred and recognize its immeasurable worth in every human condition.

Whether at the beginning of life or the end of life, Kansas is the most pro-life state in America. And we are not going back.

So let us be wise and loving in how we serve the people particularly those in the greatest need at the time of their greatest need.

We need a budget that is adequate and not pernicious.

We need social policies that are wise and helpful, and which lead people from dependence to independence.

We need strong, healthy marriages and families. As I said at the Inauguration, big government can never be big enough to replace the family.

And we need vision to pass on to our children and their children to come. A vision of Kansas that stands the test of time because it is built on truth.

So as we move forward in this legislative session, let us be wise and prudent and act in the way that the Ancients told us to. That is that our actions should be "first pure, then peaceable, gentle, open to reason, full of mercy and good fruits, impartial and sincere."

Thank you and may God grant us all grace, mercy and truth to carry out our duties.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, January 16, 2015.



# Journal of the House

## FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 16, 2015, 8:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 103 members present.

Rep. Peck was excused on legislative business.

Reps. Anthimides, Carmichael, Curtis, Dierks, Frownfelter, Goico, Hemsley, Henderson, Henry, Hutton, Kelley, Kiegerl, Powell, Rhoades, Ruiz, Sawyer, Schwab, Schwartz, Trimmer, Wilson and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for a great first week.  
There has been a lot of activity.  
There has been excitement and enthusiasm.  
And, after last night's State of the State,  
a lot of challenges, possibilities and goals presented.  
Many things will be on our minds as we head into the weekend.  
For all traveling home, please give safe travels.  
Be with each of the representatives as they connect with family –  
give them quality family time this weekend.  
For those who need to check in on their businesses,  
I pray that things are going smoothly with no major issues.  
Give everyone a great, relaxing weekend  
and bring us all back next Tuesday ready to work together  
in dealing with the needs, challenges and business of the state.  
I pray this in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Gonzalez.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2033**, AN ACT regulating traffic; concerning overtaking and passing; speed limits, by Committee on Transportation.

**HB 2034**, AN ACT concerning schools; relating to negotiable terms and conditions in the professional negotiations act; amending K.S.A. 2014 Supp. 72-5413 and

repealing the existing section, by Committee on Education.

**HB 2035**, AN ACT concerning schools; relating to the tax credit for low income students scholarship program act; amending K.S.A. 2014 Supp. 72-99a02, 72-99a03 and 72-99a04 and repealing the existing sections, by Committee on Education.

**HB 2036**, AN ACT concerning electricity; sale of renewable energy; public utility, definitions, exceptions; amending K.S.A. 66-1,170 and K.S.A. 2014 Supp. 66-104 and repealing the existing sections, by Committee on Vision 2020.

**HB 2037**, AN ACT concerning electricity; relating to renewable energy generation; public utility, definitions, exceptions; amending K.S.A. 66-1,170 and K.S.A. 2014 Supp. 66-104 and repealing the existing sections, by Committee on Vision 2020.

**HB 2038**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 74-4914d, 74-4920, 74-50,107 and 74-99b34 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b34a, by Committee on Appropriations.

**HB 2039**, AN ACT concerning the Kansas family law code; relating to domestic case management; amending K.S.A. 2014 Supp. 23-3507, 23-3508, 23-3509 and 38-2223 and repealing the existing sections, by Committee on Judiciary.

**HB 2040**, AN ACT concerning driving; relating to driving while license canceled, suspended or revoked; amending K.S.A. 2014 Supp. 8-262 and repealing the existing section, by Committee on Judiciary.

**HB 2041**, AN ACT enacting the Parkinson's disease public awareness and education act, by Representatives Dannebohm and Hawkins.

**HB 2042**, AN ACT concerning membership on the governor's behavioral health services planning council; amending K.S.A. 2014 Supp. 39-1605 and repealing the existing section, by Committee on Health and Human Services.

**HB 2043**, AN ACT concerning criminal history record information; amending K.S.A. 2014 Supp. 75-53,105 and repealing the existing section, by Committee on Health and Human Services.

**HB 2044**, AN ACT concerning motor vehicles; relating to autocycles; definitions; requirements; amending K.S.A. 8-1438 and 8-1594 and K.S.A. 2014 Supp. 8-126, 8-234b, 8-1486 and 8-1598 and repealing the existing sections, by Committee on Transportation.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2029**, **HB 2030**.

Corrections and Juvenile Justice: **HB 2031**.

Education: **HB 2027**, **HB 2028**.

Health and Human Services: **HB 2032**.

Insurance: **HB 2026**.

Judiciary: **HB 2022**, **HB 2023**, **HB 2024**, **HB 2025**, **HCR 5003**.

**CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2007** from Committee on Federal and State Affairs and referral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2017**, **HB 2018** from Committee on Judiciary and referral to Committee on Corrections and Juvenile Justice.

**REPORT OF STANDING COMMITTEE**

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 1**, by Speaker Pro Tem Peggy Mast, congratulating Olpe School System in recognition for Character Education Instruction;

**Request No. 2**, by Speaker Pro Tem Peggy Mast, congratulating Olpe High School Football Team in recognition for winning the 2014 Kansas 2-1A Football State Championship;

**Request No. 3**, by Speaker Pro Tem Peggy Mast, congratulating Zach Reiman in recognition for achievement of Eagle Scout;

**Request No. 4**, by Speaker Pro Tem Peggy Mast, congratulating Myrtle Bergstrom on her 107<sup>th</sup> birthday;

**Request No. 5**, by Representative Adam Lusker, commending West Bourbon Elementary School USD 235 for receiving The U.S. Department of Education 2014 Blue Ribbon Award;

**Request No. 6**, by Representative Virgil Peck, congratulating Chalmer Haworth on his 100<sup>th</sup> birthday;

**Request No. 7**, by Representative Connie O'Brien, congratulating Mel and Pat Ramseier on their 50<sup>th</sup> wedding anniversary;

**Request No. 8**, by Speaker Pro Tem Peggy Mast, congratulating H. Floyd and Lavena Hammonds on their 70<sup>th</sup> wedding anniversary;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 20, 2015.

# Journal of the House

## SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 20, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair. The roll was called with 115 members present.  
Reps. Gallagher and Kuether were excused on verified illness.  
Reps. Curtis, Edmonds, Goico, Henry, Merrick, Sawyer, Schwab and Winn were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Matt Zimmerman, pastor, St. Margaret's Episcopal Church, Lawrence, and guest of Rep. Sloan:

Gracious and Sovereign God, from the primal elements you brought forth the human race and blessed us with memory, reason and skill. You also blessed us with forgiveness, compassion and caring. In these times we find ourselves fraught with conflict with those in other lands of whom we have little knowledge or understanding. Events here at home cause us to wonder how well we know each other; too often the art of compromise gives way to hurtful feuding.

Help us all remember and reclaim the virtue of humility that enables us to continue to listen to one another in the midst of strife; the humility that keeps us faithful during the difficult and arduous times without weakening or seeking escape; the humility that gives birth to endurance and desire for the right and the just way of things.

I pray your blessing, O Lord, upon these women and men as they engage in the work you have called them to do. Bless their memory with forgiveness, their reason with compassion, and their skill with your caring.

All this I ask in your Holy Name, Amen.

The Pledge of Allegiance was led by Rep. Wolfe Moore.

**PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Ballard are spread upon the Journal:

**Reverend Martin Luther King, Jr. Remembrance 50 years later....**

Fifty years ago, Dr. King led thousands of marchers across the Edmund Pettus Bridge in Selma, Alabama on March 21, 1965. The movie Selma recently opened in theatres, across the country and has been nominated for Best Picture.

On August 6, 1965, President Lyndon B. Johnson signed the Voting Rights Act into law.

The series of programs and events presented in observance of Reverend Martin Luther King marked the 46<sup>th</sup> year the nation has celebrated the legacy of the civil rights leader, who was assassinated April 4, 1968. In 1994, Congress designated the Martin Luther King, Jr. federal holiday as a national holiday.

Dr. King delivered a speech outside Detroit, describing two Americas: one that is prosperous, safe, and full of opportunity and hope, and another that is fearful, grinding and with a new obstacle around each corner. Fifty years later, Reverend King's description of two Americas still resonates today, though we have come a long way towards his dream and many would not believe the changes and the progress we have made in our country. But we all know, as a country, that we must do better. The people we love, and who love us are counting on us. The community where we live and work are counting on us. The people we serve are counting on us.

Dr. King put himself, his faith and his trust in God and caring people, into a peaceful, nonviolent revolution to bring about change. We must continue to work together to create "one" America. "Dr. King's inclusive legacy must live on inside each of us." We can make a difference, not because we are forced to but because we want to and we can.

I will close with a quote from Dr. Martin Luther King, Jr.: "*Darkness Cannot Drive Out Darkness; Only Light Can Do That. Hate Cannot Drive Out Hate; Only Love Can Do That.*"

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2045**, AN ACT concerning social welfare; relating to eligibility requirements for the Kansas program of medical assistance; amending K.S.A. 2014 Supp. 39-709 and repealing the existing section, by Representative Ward.

**HB 2046**, AN ACT repealing K.S.A. 2014 Supp. 65-6230; concerning the health care compact, by Representative Ward.

**HB 2047**, AN ACT enacting the patient empowerment act; concerning developmental disabilities; relating to the I/DD waiver program, by Representative Ward.

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

The following bills were referred to committees as indicated:

Appropriations: **HB 2038**.

Education: **HB 2034, HB 2035**.

Energy and Environment: **HB 2036, HB 2037**.

Health and Human Services: **HB 2041, HB 2042, HB 2043**.

Judiciary: **HB 2039, HB 2040**.

Transportation: **HB 2033, HB 2044**.

#### **CHANGE OF REFERENCE**

Speaker pro tem Mast announced the withdrawal of **HB 2014** from Committee on Agriculture and Natural Resources and referral to Committee on Agriculture and Natural Resources Budget.

Also, the withdrawal of **HB 2007** from Committee on Corrections and Juvenile Justice and rereferral to Committee on Federal and State Affairs.

#### **MESSAGE FROM THE GOVERNOR**

##### **Executive Reorganization Order No. 43**

**By Governor Sam Brownback**

**January 16, 2015**

Pursuant to Article 1, Section 6(b) of the Constitution of the State of Kansas, I am transmitting this day Executive Reorganization Order No. 43 to both houses of the Kansas Legislature. Simultaneous with this Order, I am transmitting the accompanying Governor's Message.

This reorganization affects operations at the Kansas Department of Health and Environment and the Kansas Department for Children and Families.

Beginning July 1, 2015 the Department for Children and Families will assume foster care licensing responsibilities that currently fall under KDHE. DCF is responsible for child welfare services in Kansas. Placing that responsibility under DCF will help streamline the process and further the agency's ability to monitor the entire foster care system and serve those in need.

This Executive Reorganization Order also transfers Medicaid eligibility processing duties from DCF to KDHE on January 1, 2016. KDHE is the State Medicaid agency and currently has employees in the Division of Health Care Finance with knowledge

and expertise in Medicaid eligibility. Combining the current KDHE and DCF work groups that manage Medicaid eligibility will improve service by reducing the Kansas Medicaid Payment Error Rate Measurement by coordinating staff training and ensuring uniform implementation of policy and processing changes.

This will be a positive change for both agencies and the State of Kansas. The reorganization will allow DCF to better monitor the entire foster care system. It will also enhance the coordination between when a client applies for Medicaid, is determined eligible and receives medical services.

My administration looks forward to working with the Kansas Legislature on this and other solutions to provide better service to the citizens of Kansas.

**Executive Reorganization Order No. 43**  
**By Governor Sam Brownback**

Section 1. a) The department of health and environment was established by K.S.A. 75-5601 *et seq.*

(b) Within the department of health and environment there are three divisions: division of public health, the division of environment and the division of health care finance.

(c) Within the division of public health there are various bureaus and programs which carry out and administer the multiple functions of the department.

(d) Included among those bureaus of the division of public health is the bureau of family health. Within the bureau of family health there is the child placing agency and residential programs section. Among other functions, this bureau licenses and regulates foster care and other residential facilities.

(e) The department for children and families was established by K.S.A. 75-5301 *et seq.*

(f) Within the department for children and families there is an economic and employment services section that, among other functions, determines eligibility for services under Title XIX of the Social Security Act, known as Medicaid and eligibility for services for state funded medical services.

(g) Except as otherwise provided by this order, beginning January 1, 2016 all the powers, duties and functions of the department for children and families, economic and employment services section that, among other functions, determines eligibility for services under Title XIX of the Social Security Act, known as Medicaid and eligibility for services for state funded medical services are hereby transferred to and imposed upon the department for health and environment and the secretary of the department of health and environment.

(h) Except as otherwise provided by this order, beginning July 1, 2015 all the powers, duties and functions of the department of health and environment, division of public health section for child placing agencies and residential facilities which, among other things, licenses and regulates foster care and other residential facilities are hereby

transferred to and imposed upon the Kansas department for children and families and the secretary of the department for children and families.

(i) The department for children and families shall be the successor in every way to the powers, duties and functions of the bureau of family health, child placing agency and residential programs section in which the same were vested prior to the effective date of this order. Every act performed in the exercise of such transferred power, duties and functions by or under the authority of the department of health and environment, division of public health, bureau of family health, child placing agency and residential programs section shall be deemed to have the same force and effect as if performed by the department of health and environment in which such powers, duties, and functions were vested prior to the effective date of this order.

(j) The department of health and environment shall be the successor in every way to the powers, duties and functions of the department for children and families concerning duties and functions of the department for children and families, economic and employment services section that determines eligibility for services under Title XIX of the Social Security Act (Medicaid) and eligibility for state funded medical services in which the same were vested prior to the effective date of this order. Every act performed in the exercise of such transferred power, duties and functions by or under the authority of the department for children and families, economic and employment services section that, among other functions, determines eligibility for services under Title XIX of the Social Security Act, known as Medicaid and eligibility for services for state funded medical services, that pertains to determining eligibility for Medicaid and state funded medical services shall be deemed to have the same force and effect as if performed by the department for children and families in which such powers, duties, and functions were vested prior to the effective date of this order.

Section 2. (a) The department for children and families or designees appointed by the secretary shall be the successor in every way to the powers, duties, and functions of any state agency department, board, commission or council, providing services and creating systems in order to comply with the provisions of any laws or regulations affecting the department of health and environment, division of public health, bureau of family health, child placing and residential programs. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the department for children and families shall be deemed to have the same force and effect as if performed by any state agency, department, board, commission or council in which such powers, duties and functions were vested prior to the date of this order.

(b) The department of health and environment or designees appointed by the secretary shall be the successor in every way to the powers, duties, and functions of any state agency department, board, commission or council, providing services and creating systems in order to comply with the provisions of any laws or regulations affecting the department for children and families, eligibility and employment services section which pertains to determining eligibility for Medicaid services. Every act performed in the



exercise of such transferred powers, duties, and functions by or under the authority of the department of health and environment shall be deemed to have the same force and effect as if performed by any state agency, department, board, commission or council in which such powers, duties and functions were vested prior to the date of this order.

(c) Wherever the department of health and environment, pertaining to the duties or functions of the child placing agency and residential programs section division of public health, bureau of family health, or words of like effect is referred to or designated by statute, contract, memorandum, agreement or other document and such reference is in regard to any of the powers, duties or functions transferred to the department for children and families, such reference or designation shall be deemed to apply to the department for children and families.

(d) Wherever the department for children and families, economic and employment services section that determines eligibility for services under Title XIX of the Social Security Act (Medicaid) and state funded medical services, or words of like effect are referred to or designated by statute, contract, memorandum, agreement or other document and such reference is in regard to any of the powers, duties or functions transferred to the department of health and environment, such reference or designation shall be deemed to apply to the department of health and environment.

(e) All rules and regulations, orders and directives of the Kansas department of health and environment which relate to the functions transferred by this order, and which are in effect on the effective date of this order, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of the department for children and families respective to the duties that the secretary for children and families is assuming by this order.

(f) All rules and regulations, orders and directives of the Kansas department for children and families which relate to the functions transferred by this order, and which are in effect on the effective date of this order, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of the department of health and environment respective to the duties that the secretary of health and environment is assuming by this order.

Section 3. (a) The balance of all funds or accounts thereof appropriated or reappropriated for the Kansas department of health and environment or any state agency, department, board, commission or council, relating to the powers, duties and functions transferred by this order are hereby transferred within the state treasury to the department for children and families respective to the powers, duties and functions transferred by this order.

(b) The balance of all funds or accounts thereof appropriated or reappropriated for the Kansas department for children and families or any state agency, department, board, commission or council, relating to the powers, duties and functions transferred by this order are hereby transferred within the state treasury to the department of health and environment respective to the powers, duties and functions transferred by this order.

(c) Liability for the accrued compensation or salaries of officers and employees who are transferred to the department for children and families under this order shall be assumed and paid by the department for children and families, respective to the powers, duties and functions transferred by this order.

(d) Liability for the accrued compensation or salaries of officers and employees who are transferred to the department of health and environment under this order shall be assumed and paid by the department of health and environment, respective to the powers, duties and functions transferred by this order.

Section 4. (a) When any conflict arises as to the disposition of any property, power, duty or function or the unexpended balance of any appropriation as a result of any abolition or transfer made by or under the authority of this order, such conflict shall be resolved by the governor, whose decision shall be final.

(b) The department for children and families and the department of health and environment shall respectively succeed to all property, property rights and records which were used for or pertain to the performance of powers, duties and functions transferred by this order.

Section 5. (a) No suit, action, or other proceeding, judicial or administrative, lawfully commenced, or which could have been commenced, by or against any state agency or program mentioned in this order, or by or against any officer of the state in such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this order. The Court may allow any such suit, action or other proceeding to be maintained by or against the successor of any such state agency or any officer affected.

(b) No criminal action commenced or which could have been commenced by the state shall abate by the taking effect of this order.

Section 6. (a) All officers and employees of the Kansas department of health and environment, who immediately prior to the effective date of this order, are engaged in the exercise and performance of the powers, duties and functions transferred by this order, as well as all officers and employees of the Kansas department of health and environment who are determined by the secretary of the Kansas department for children and families and the secretary of the Kansas department of health and environment to be engaged in providing administrative, technical or other support services that are essential to the exercise and performance of the powers, duties and functions transferred by this order, are hereby transferred to the department for children and families, respective to the powers, duties and functions transferred to the department by this order. All classified officers and employees so transferred shall retain their status as classified employees.

(b) All officers and employees of the Kansas department for children and families, who immediately prior to the effective date of this order, are engaged in the exercise and performance of the powers, duties and functions transferred by this order, as well as all officers and employees of the Kansas department for children and families who are

determined by the secretary of the Kansas department of health and environment and the secretary of the Kansas department for children and families to be engaged in providing administrative, technical or other support services that are essential to the exercise and performance of the powers, duties and functions transferred by this order, are hereby transferred to the department of health and environment, respective to the powers, duties and functions transferred to the department by this order. All classified officers and employees so transferred shall retain their status as classified employees.

(c) Officer and employees of the Kansas department of health and environment and officers and employees of the Kansas department for children and families transferred by this order shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such officer or employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs or abolitions of classified service positions under Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this order shall affect the classified status of any transferred person employed by either the Kansas department of health and environment or the Kansas department for children and families prior to the date of transfer.

(d) Notwithstanding the effective date of this order, the provisions of this order prescribing the transfer of officers and employees from the Kansas department of health and environment and the Kansas department for children and families, the date of transfer of each such officer or employee shall commence at the start of a payroll period.

Section 7. Except as otherwise provided by this order, all of the provisions of this order shall take effect and have the force of general law on July 1, 2015, unless disapproved by either house of the Kansas legislature as provided by subsection 6 of article 1 of the Constitution of Kansas, and unless so disapproved, this order is to be published as and with the acts of the legislature and the statutes of this state.

DONE at The Capitol in Topeka  
under the Great Seal of the  
State of Kansas this 16<sup>th</sup> day  
of January, 2015.

BY THE GOVERNOR:  
SAM BROWNBACK

KRIS W. KOBACH  
*Secretary of State*  
ERIC RUCKER  
*Assistant Secretary of State*

**COMMUNICATIONS FROM STATE OFFICERS**

From Lana Gordon, Secretary of Labor, Kansas Department of Labor, 2014 Annual Report.

From the Kansas Corporation Commission, Abandoned Oil and Gas Well Status Report and the Remediation Site Status Report for 2015.

From Brianna Landon, Policy Analyst and Legislative Liaison, Kansas Department of Health and Environment, KDHE Division of Environment Reports. They are also available at: <http://www.kdheks.gov/testimony/index.htm>.

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

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills and concurrent resolutions were thereupon introduced and read by title:

**HB 2048**, AN ACT concerning crimes, punishment and criminal procedure; relating to search warrants; amending K.S.A. 2014 Supp. 22-2502 and repealing the existing section, by Committee on 2014 Special Committee on Judiciary.

**HB 2049**, AN ACT concerning crimes, punishment and criminal procedure; relating to possession of controlled substances; amending K.S.A. 2014 Supp. 21-5706 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2050**, AN ACT concerning crimes, punishment and criminal procedure; relating to probation and postrelease supervision; violation sanctions; amending K.S.A. 2014 Supp. 22-3716 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2051**, AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; good time and program credits; amending K.S.A. 2014 Supp. 21-6821 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2052**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; nonprison sanctions; amending K.S.A. 2014 Supp. 21-6810 and 21-6824 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2053**, AN ACT concerning crimes, punishment and criminal procedure; relating to calculation of criminal history; correction of sentence; amending K.S.A. 22-3504 and K.S.A. 2014 Supp. 21-6810 and 21-6811 and repealing the existing sections, by

Committee on 2014 Special Committee on Judiciary.

**HB 2054**, AN ACT enacting the public speech protection act, by Committee on 2014 Special Committee on Judiciary.

**HB 2055**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; out-of-state misdemeanors; amending K.S.A. 2014 Supp. 21-6811 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2056**, AN ACT concerning crimes, punishment and criminal procedure; relating to community corrections; use of risk assessment tool; amending K.S.A. 2014 Supp. 75-5291 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2057**, AN ACT concerning crimes, punishment and criminal procedure; relating to review and appeal of convictions resulting in a sentence of death; limitations and procedure for motions attacking sentence filed by prisoners; additional procedures for prisoners under sentence of death; amending K.S.A. 60-1507 and K.S.A. 2014 Supp. 21-6619 and repealing the existing sections, by Committee on Judiciary.

**HB 2058**, AN ACT concerning hospitals; relating to designated lay caregivers; duties; policies and procedures, by Committee on Children and Seniors.

**HB 2059**, AN ACT concerning water; related to the diversion of water; chief engineer; amending K.S.A. 82a-706b and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2060**, AN ACT concerning firefighting; relating to interstate compacts; great plains interstate fire compact, by Committee on Agriculture and Natural Resources.

**HB 2061**, AN ACT concerning agriculture; relating to the Kansas department of agriculture division of conservation; state conservation commission; powers and duties thereof; amending K.S.A. 2014 Supp. 2-1904 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2062**, AN ACT concerning crimes and punishment; relating to blackmail; breach of privacy; amending K.S.A. 2014 Supp. 21-5428 and 21-6101 and repealing the existing sections, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5004**—

By Committee on Judiciary

**HCR 5004--A** PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 3 of the constitution of the state of Kansas is hereby amended to read

as follows:

**"Article 3.—JUDICIAL**

**"§ 1. Judicial power; seals; rules.** The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

**"§ 2. Supreme court.** The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

**"§ 3. Jurisdiction and terms.** The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be coextensive with the state.

**"§ 4. Reporter; clerk.** There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices for two years, and whose duties shall be prescribed by law.

**"§ 5. Selection of justices of the supreme court.** (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement, resignation or removal of a justice, shall be filled by election at the next general election. Such election shall be partisan and from the state as a whole. Except as otherwise provided in this section, election laws applicable to other state officers elected from the state as a whole shall apply to the nomination and election of justices of the supreme court. Each justice of the supreme court elected as provided by law shall hold office for a term of six years which term shall commence on the second Monday in January following the general election. Justices of the supreme court may seek reelection.

(b) Each justice in office at the time this amendment takes effect shall hold office for the term for which such justice was retained in office by election, or hold office for the initial term for which such justice was appointed, and until a successor is elected and qualified. The office which such justice holds shall be open upon the

expiration of such justice's term of office, or upon the retirement, resignation or removal of such justice, whichever occurs first. Such justice shall be eligible for election to such office in the manner prescribed in this section, unless by law such justice is compelled to retire or such justice retired, resigned or was removed from such office.

**"§ 6. Court of appeals.** (a) (1) The court of appeals shall consist of 14 judges whose positions shall be numbered one to 14. The court of appeals shall be a part of the court of justice in which the judicial power of the state is vested by section 1 of this article and shall be subject to the general administrative authority of the supreme court. The court of appeals shall have such jurisdiction over appeals in civil and criminal cases and from administrative bodies and officers of the state as may be prescribed by law, and shall have such original jurisdiction as may be necessary to the complete determination of any cause on review. During the pendency of any appeal, the court of appeals, on such terms as may be just, may make an order suspending further proceedings in the court below, until the decision of the court of appeals.

(2) Any vacancy occurring in the office of any judge of the court of appeals and any position to be open thereon as a result of enlargement of the court, or the retirement, resignation or removal of a judge, shall be filled by election at the next general election. Such election shall be partisan and from the state as a whole. Except as otherwise provided in this section, election laws applicable to other state officers elected from the state as a whole shall apply to the nomination and election of judges of the court of appeals. Each judge of the court of appeals elected as provided by law shall hold office for a term of six years which term shall commence on the second Monday in January following the general election. Judges of the court of appeals may seek reelection.

(b) Each judge in office at the time this amendment takes effect shall hold office for the term for which such judge was retained in office by election, or hold office for the initial term for which such judge was appointed, and until a successor is elected and qualified. The office which such judge holds shall be open upon the expiration of such judge's term of office, or upon the retirement, resignation or removal of such judge, whichever occurs first. Such judge shall be eligible for election to such office in the manner prescribed in this section, unless by law such judge is compelled to retire or such judge retired, resigned or was removed from such office.

(c) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

(d) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

**"§ 7. District courts.** (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term

of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

**"§ 8. Qualifications of justices and judges.** Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

**"§ 9. Prohibition of political activity by certain judges.** No judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

**"§ 10. Extension of terms until successor qualified.** All judicial officers shall hold their offices until their successors shall have qualified.

**"§ 11. Compensation of justices and judges; certain limitation.** The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state,



or the United States except as may be provided by law, or practice law during their continuance in office.

**"§ 12. Removal of justices and judges.** Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

**"§ 13. Savings clause.** Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to place the law concerning the court of appeals into the constitution, to do away with the supreme court nominating commission and to provide for election of justices of the supreme court and judges of the court of appeals. Future justices and judges would be elected in partisan, statewide elections. Each justice and judge elected would hold office for a term of six years and would be allowed to seek reelection.

"A vote for this proposition would cause justices of the supreme court and judges of the court of appeals to be elected in partisan, statewide elections for terms of six years.

"A vote against this proposition would continue the current system in which justices of the supreme court are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission and judges of the court of appeals are appointed by the governor, with the consent of the senate."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the

journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the election in August in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. **HCR 5005**—

By Committee on Judiciary

**HCR 5005**--A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

**"Article 3.—JUDICIAL**

**"§ 1. Judicial power; seals; rules.** The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

**"§ 2. Supreme court.** The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

**"§ 3. Jurisdiction and terms.** The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

**"§ 4. Reporter; clerk.** There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices for two years, and whose duties shall be prescribed by law.

**"§ 5. Selection of justices of the supreme court.** (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open on the supreme court as a result of enlargement of such court, or the retirement or failure of an incumbent to file such justice's declaration of candidacy to be retained in office as hereinafter required, or failure of a justice to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(4) Whenever a vacancy in the office of justice of the supreme court exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) No person appointed pursuant to subsection (a) shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) (1) Each justice of the supreme court appointed pursuant to subsection (a) and consented to pursuant to subsection (b) shall hold office for an initial term ending on the second Monday in January following the first general election that

occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of the term of any justice of the supreme court, the justice may file in the office of the secretary of state a declaration of candidacy for retention in office. If a declaration is not filed as provided in this section, the position held by the justice shall be vacant upon the expiration of the justice's term of office. If such declaration is filed, the justice's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows: "Shall (Here insert name of justice.), Justice of the Supreme Court, be retained in office?"

(3) If a majority of those voting on the question vote against retaining the justice in office, the position which the justice holds shall be vacant upon the expiration of the justice's term of office. Otherwise, unless the justice is removed for cause, the justice shall remain in office for the regular term of six years from the second Monday in January following the election. At the expiration of each term, unless by law the justice is compelled to retire, the justice shall be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the justice's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such justice who has not been retained in office pursuant to this section shall not be eligible for appointment to the office of justice of the supreme court prior to the expiration of six years after the expiration of the justice's term of office.

**"§ 6. Court of appeals.** (a) (1) The court of appeals shall consist of 14 judges whose positions shall be numbered one to 14. The court of appeals shall be a part of the court of justice in which the judicial power of the state is vested by section 1 of this article and shall be subject to the general administrative authority of the supreme court. The court of appeals shall have such jurisdiction over appeals in civil and criminal cases and from administrative bodies and officers of the state as may be prescribed by law, and shall have such original jurisdiction as may be necessary to the complete determination of any cause on review. During the pendency of any appeal, the court of appeals, on such terms as may be just, may make an order suspending further proceedings in the court below, until the decision of the court of appeals.

(2) Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(3) Whenever a vacancy occurs, will occur or position opens on the court of

appeals, the clerk of the supreme court shall promptly give notice to the governor.

(4) In event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(5) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) No person appointed pursuant to subsection (a) shall assume the office of judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) (1) Each judge of the court of appeals appointed pursuant to subsection (a) and consented to pursuant to subsection (b) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of the term of any judge of the court of appeals, the judge may file in the office of the secretary of state a declaration of candidacy for retention in office. If a declaration is not filed as provided in this section, the position held by the judge shall be vacant upon the expiration of the judge's term of office. If such declaration is filed, the judge's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows: "Shall (Here insert name of judge.), Judge of the Court of Appeals, be retained in office?"

(3) If a majority of those voting on the question vote against retaining the judge

in office, the position which the judge holds shall be vacant upon the expiration of the judge's term of office. Otherwise, unless the judge is removed for cause, the judge shall remain in office for the regular term of four years from the second Monday in January following the election. At the expiration of each term, unless by law the judge is compelled to retire, the judge shall be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the judge's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such judge who has not been retained in office pursuant to this section shall not be eligible for appointment to the office of judge of the court of appeals prior to the expiration of four years after the expiration of the judge's term of office.

(d) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

**"§ 7. District courts.** (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

**"§ 8. Qualifications of justices and judges.** Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30

years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

**"§ 9. Prohibition of political activity by justices and certain judges.** No justice of the supreme court who is appointed or retained under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed or retained under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

**"§ 10. Extension of terms until successor qualified.** All judicial officers shall hold their offices until their successors shall have qualified.

**"§ 11. Compensation of justices and judges; certain limitation.** The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States except as may be provided by law, or practice law during their continuance in office.

**"§ 12. Removal of justices and judges.** Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

**"§ 13. Savings clause.** Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to place the law concerning the court of appeals into the constitution and to do away with the supreme court nominating commission. The governor will appoint a qualified person, or if the governor fails to act, the chief justice of the supreme court would appoint a qualified person, and such person's appointment would be required to be confirmed by the senate. A procedure is established whereby senate confirmation would occur within 60 days of receiving the appointment. If the senate does not confirm the appointment by a majority vote, the governor would then appoint another qualified person, and such person's appointment would again go to the senate for confirmation. The same appointment and confirmation procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 60 days, it will be considered that the senate has confirmed the appointment.

"A vote for this proposition would provide a procedure whereby the governor or chief justice would appoint a person to be a supreme court justice or court of appeals judge and the senate, by majority vote, would confirm the appointment of the supreme court justice or court of appeals judge.

"A vote against this proposition would continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. **HCR 5006**—

By Committee on Judiciary

**HCR 5006**--A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:



**"Article 3.—JUDICIAL**

**"§ 1. Judicial power; seals; rules.** The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

**"§ 2. Supreme court.** (a) The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

(b) Justices of the supreme court: (1) Shall hold their offices during good behavior; (2) shall be subject to the retirement, discipline and removal for cause provisions of section 12 of article 3 of the constitution of the state of Kansas; and (3) shall not be subject to a retention election.

**"§ 3. Jurisdiction and terms.** The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

**"§ 4. Reporter; clerk.** There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices for two years, and whose duties shall be prescribed by law.

**"§ 5. Selection of justices of the supreme court.** (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open on the supreme court as a result of enlargement of such court, or the retirement of an incumbent, shall be filled by appointment by the governor, with the consent of the senate, of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(2) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees, with the consent of the senate.

(b) Whenever a vacancy occurs, will occur or position opens on the supreme

court, the clerk of the supreme court shall promptly give notice to the governor.

(c) No person appointed pursuant to subsection (a) shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 30 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 30-day time limitation, the president of the senate shall convene the senate for the sole purpose of voting on such appointment and no other action shall be in order during such session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 30 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office, whose name has been submitted to the governor by the supreme court nominating commission, and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(d) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." Such commission shall be organized as hereinafter provided.

(e) The supreme court nominating commission shall be composed as follows: Three members shall be appointed by the speaker of the house of representatives, three members shall be appointed by the president of the senate and three members shall be appointed by the governor. All members shall be residents of Kansas. At least one member appointed by the speaker of the house of representatives, at least one member appointed by the president of the senate and at least one member appointed by the governor shall be members of the bar in good standing and licensed in Kansas. The governor shall appoint one of the nine members of the supreme court nominating commission to serve as such commission's chairperson.

(f) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

(g) No member of the supreme court nominating commission shall, while a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of

a majority of its members.

(h) No justice of the supreme court serving on the supreme court on the date of ratification of this amendment by the electors of the state shall be required to stand for a retention election in order to be retained in office on such date or anytime thereafter.

**"§ 6. Court of appeals.** (a) (1) The court of appeals shall consist of 14 judges whose positions shall be numbered one to 14. The court of appeals shall be a part of the court of justice in which the judicial power of the state is vested by section 1 of this article and shall be subject to the general administrative authority of the supreme court. The court of appeals shall have such jurisdiction over appeals in civil and criminal cases and from administrative bodies and officers of the state as may be prescribed by law, and shall have such original jurisdiction as may be necessary to the complete determination of any cause on review. During the pendency of any appeal, the court of appeals, on such terms as may be just, may make an order suspending further proceedings in the court below, until the decision of the court of appeals.

(2) Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement of an incumbent, shall be filled by appointment by the governor, with the consent of the senate, of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established by section 5 of this article.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees, with the consent of the senate.

(b) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(c) No person appointed pursuant to subsection (a) shall assume the office of judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 30 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 30-day time limitation, the president of the senate shall convene the senate for the sole purpose of voting on such appointment and no other action shall be in order during such session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 30 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office, whose name has been submitted to the governor by the supreme court nominating commission, and such subsequent

appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(d) Judges of the court of appeals: (1) Shall hold their offices during good behavior; (2) shall be subject to the retirement, discipline and removal for cause provisions of section 12 of article 3 of the constitution of the state of Kansas; and (3) shall not be subject to a retention election.

(e) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

(f) No judge of the court of appeals serving on the court of appeals on the date of ratification of this amendment by the electors of the state shall be required to stand for a retention election in order to be retained in office on such date or anytime thereafter.

**"§ 7. District courts.** (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to

serve temporarily on the court of appeals.

**"§ 8. Qualifications of justices and judges.** Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

**"§ 9. Prohibition of political activity by justices and certain judges.** No justice of the supreme court who is appointed under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

**"§ 10. Extension of terms until successor qualified.** All judicial officers shall hold their offices until their successors shall have qualified.

**"§ 11. Compensation of justices and judges; certain limitation.** The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States except as may be provided by law, or practice law during their continuance in office.

**"§ 12. Removal of justices and judges.** Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

**"§ 13. Savings clause.** Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of

appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to place the law concerning the court of appeals into the constitution, to change the procedure for selecting supreme court justices and court of appeals judges and to change the membership of the nonpartisan supreme court nominating commission. The nonpartisan supreme court nominating commission membership would be changed to include appointments by the speaker of the house of representatives and the president of the senate. The gubernatorial appointments to the commission would be reduced from four members to three members. The members of the bar would no longer elect members of the commission. The commission would continue to nominate three persons for appointment by the governor. The governor would appoint one of such persons to the office of justice of the supreme court or judge of the court of appeals, and such person's appointment would be required to be consented to by the senate. A procedure is established whereby senate consent would occur within 30 days of receiving the appointment. If the senate does not consent by a majority vote, the governor would then select an appointment which would again go to the senate for consent. The same appointment and consent procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 30 days, it will be considered that the senate has consented to the appointment. Further, the supreme court justices and court of appeals judges would hold their offices during good behavior, be subject to the retirement, discipline and removal for cause provisions of section 12 of article 3 of the Kansas constitution and would no longer be subject to a retention election.

"A vote for this proposition would place the law concerning the court of appeals into the constitution and provide a procedure whereby a modified supreme court nominating commission would nominate three qualified persons to the governor for each vacant office of justice of the supreme court or judge of the court of appeals. The governor or chief justice would appoint one of such persons to the office of justice of the supreme court or judge of the court of appeals and the senate, by majority vote, would consent to the appointment. The supreme court justices and court of appeals judges would hold their offices during good behavior, be subject to the retirement, discipline and removal for cause provisions of section 12 of article 3 of the Kansas constitution and would no longer be subject to a retention election.

"A vote against this proposition would leave the law concerning the court of appeals in the Kansas statutes and continue in effect the current procedure whereby the governor appoints judges of the court of appeals, with the consent of the senate. It would also continue in effect the current procedure whereby the supreme court nominating commission nominates three persons for the office of justice of the supreme court and the governor appoints one of such persons, with no senate consent required. Further, the justices of the supreme court would

continue to hold six-year terms and be subject to retention elections."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the election in August in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Rep. Wilson to replace Rep. Sawyer on Committee on Rules and Journal on January 20 only.

Also, the appointment of Rep. Trimmer to replace Rep. Winn on Committee on Education on January 20, 21, 22, 23 only.

### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6001, HR 6002, HR 6003, HR 6005** reported correctly enrolled and properly signed on January 20, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 21, 2015.

# Journal of the House

## SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 21, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 118 members present.

Reps. DeGraaf and Kuether were excused on verified illness.

Reps. Curtis, Kelley, Phillips, Sawyer and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,  
We give thanks for the brief break this past weekend,  
and for a new week to begin our work together.  
As this body begins to face the issues and make decisions,  
I pray that each individual will exemplify  
love rather than self-protection,  
joy rather than despair,  
peace rather than anxiety,  
patience rather than intolerance,  
kindness rather than pride,  
goodness rather than insincerity,  
faithfulness rather than being opportunistic,  
gentleness rather than self-absorption,  
self-control rather than impulsiveness.  
Without Your help and power,  
none of us can accomplish this,  
so I ask for Your help and strength.  
I also ask for your peace, comfort, strength  
and grace for Representatives Hutton and Winn  
in the loss of their mothers this past week.  
All this I pray in Your name,  
Amen.

The Pledge of Allegiance was led by Rep. Schroeder.



**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2063**, AN ACT concerning water; relating to the public water supply project loan program; amending K.S.A. 65-163d and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2064**, AN ACT concerning insurance; relating to legal services insurance; amending K.S.A. 40-1102 and 40-4201 and repealing the existing sections, by Committee on Insurance.

**HB 2065**, AN ACT concerning insurance; relating to nonprofit dental service corporations; subscription agreements; disbursements; amending K.S.A. 40-19a11 and repealing the existing section, by Committee on Insurance.

**HB 2066**, AN ACT concerning insurance companies; relating to investments; amending K.S.A. 40-2a05, 40-2a12, 40-2a16, 40-2a25, 40-2a26, 40-2b04, 40-2b05, 40-2b09, 40-2b13, 40-2b26 and 40-2b27 and K.S.A. 2014 Supp. 40-2a27, 40-2a28, 40-2b28 and 40-2b29 and repealing the existing sections, by Committee on Insurance.

**HB 2067**, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing minimum policy limits; amending K.S.A. 40-3107 and repealing the existing section, by Committee on Insurance.

**HB 2068**, AN ACT regulating traffic; concerning bicycles; path usage; amending K.S.A. 8-1590 and repealing the existing section, by Committee on Transportation.

**HB 2069**, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2014 Supp. 82a-708c and 82a-736 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

**HB 2070**, AN ACT concerning property taxation; relating to exemptions; initial request for exemption; allowing counties to exempt certain property; amending K.S.A. 2014 Supp. 79-213 and repealing the existing section; also repealing K.S.A. 2014 Supp. 79-213f, by Committee on Taxation.

**HB 2071**, AN ACT concerning property taxation; relating to county appraisers, market study analysis, persons eligible to be appointed to office of appraiser; amending K.S.A. 19-432 and 79-1460a and repealing the existing sections, by Committee on Taxation.

**HB 2072**, AN ACT concerning agriculture; relating to fertilizer fees; environmental assessments; amending K.S.A. 2014 Supp. 2-1205 and 2-3713 and repealing the existing sections, by Committee on Agriculture and Natural Resources Budget.

**HB 2073**, AN ACT concerning courts; relating to mandatory retirement; amending K.S.A. 2014 Supp. 20-2608 and repealing the existing section, by Committee on Judiciary.

**HB 2074**, AN ACT concerning firearms; relating to the possession of firearms; amending K.S.A. 2014 Supp. 75-7c04 and 75-7c17 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6309, by Committee on Federal and State Affairs.

**HB 2075**, AN ACT concerning the state capitol building; establishing the capitol meditation room; amending K.S.A. 2014 Supp. 75-3765a and repealing the existing section, by Representatives Brunk, Alford, Anthimides, Barton, Billinger, Bradford, W. Carpenter, Claeys, DeGraaf, Dove, Esau, Estes, Ewy, Garber, Hedke, Hildabrand, Hoffman, Houser, Huebert, Hutton, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mason, Mast, O'Brien, Osterman, Pauls, Peck, Powell, Read, Rhoades, Rubin,

Ryckman, Ryckman Sr., Scapa, Schroeder, Smith, Sutton, Todd, Whitmer and Williams.

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

The following bills, resolutions and ERO were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2059, HB 2060, HB 2061.**

Children and Seniors: **HB 2058.**

Corrections and Juvenile Justice: **HB 2048, HB 2049, HB 2050, HB 2051, HB 2052, HB 2053, HB 2055, HB 2056.**

Health and Human Services: **HB 2045, HB 2046, HB 2047, ERO 43.**

Judiciary: **HB 2054, HB 2057, HB 2062, HCR 5004, HCR 5005, HCR 5006.**

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Rules and Journal** recommends **HCR 5002, HR 6004** be adopted.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Schwartz as Vice Chair of Committee on Appropriations effective immediately.

Also, Rep. Macheers is appointed to Committee on Appropriations to replace Rep. Edmonds effective immediately.

Also, Rep. Edmonds is appointed to Committee on Pensions and Benefits to replace Rep. Macheers effective immediately.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Thursday, January 22, 2015.

# Journal of the House

## EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 22, 2015, 8:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 115 members present.

Rep. Tietze was excused on verified illness.

Rep. Sloan was excused on legislative business.

Reps. Campbell, Curtis, Estes, Henderson, Hutton, Kelley, Sawyer, and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
Thank You for being with us again today.  
I ask for your blessing and inspiration upon these leaders.  
May they possess goodwill and shared commitment  
in their discussions in committee meetings.  
Help them be willing to listen, learn, think clearly,  
speak confidently, and act courageously in seeking solutions.  
Give them Your wisdom and fill them with hopeful anticipation.  
With all the activities of the day which lie before them,  
go before them and lead the way.  
I pray this in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. O'Brien.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolutions were introduced and read by title:

**HB 2076**, AN ACT concerning sales taxation; relating to exemptions; certain sales of school supplies, computers and clothing during sales tax holiday; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Representatives Todd, Anthimides, Claeys, Clayton, Davis, Finney, Highland, K. Jones, Pauls, Peck, Powell, Rooker, Scapa, Sutton, Thompson and Whipple.

**HB 2077**, AN ACT concerning property taxation; relating to motor vehicles; exemptions, disabled veterans; amending K.S.A. 2014 Supp. 79-5107 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

**HB 2078**, AN ACT concerning school districts; relating to school safety and security policies and plans, by Committee on Veterans, Military and Homeland Security.

**HB 2079**, AN ACT concerning the Kansas dental board; relating to licensure of registered dental practitioners; amending K.S.A. 65-1421, 65-1441, 65-1449, 65-1460, 65-1462, 74-1404 and 74-1406 and K.S.A. 2014 Supp. 65-1424, 65-1431, 65-1434, 65-1436, 65-1447, 65-1469, 65-4915, 65-4921, 65-5912, 65-7304, 74-1405, 75-2935 and 75-6102 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2080**, AN ACT concerning crimes, punishment and criminal procedure; relating to blackmail; breach of privacy; amending K.S.A. 2014 Supp. 21-5428 and 21-6101 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2081**, AN ACT enacting the Kansas disclosure of unanticipated medical outcomes and medical errors act; concerning required disclosure policies for unanticipated medical outcomes and medical errors by medical care providers and health care facilities, by Committee on Judiciary.

**HB 2082**, AN ACT concerning lobbyists; regarding definitions; amending K.S.A. 46-222 and repealing the existing section, by Committee on Elections.

**HB 2083**, AN ACT concerning ethics and elections; relating to campaign finance disclosures; amending K.S.A. 2014 Supp. 25-4148a and repealing the existing section, by Committee on Elections.

**HB 2084**, AN ACT concerning the prepaid telephone security act; relating to telecommunications; creating the mobile communications devices identification system, by Committee on Judiciary.

**HB 2085**, AN ACT concerning the Kansas turnpike authority; relating to annual reports; contracts between the secretary of transportation and the authority; director; amending K.S.A. 68-2015 and K.S.A. 2014 Supp. 68-2003, 68-2021 and 68-2021a and repealing the existing sections, by Committee on Appropriations.

**HB 2086**, AN ACT concerning sales taxation; relating to exemptions; defining machinery and equipment used as an integral or essential part of an integrated production operation; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HOUSE CONCURRENT RESOLUTION No. **HCR 5007**—

by Committee on Veterans, Military and Homeland Security

**HCR 5007**-- A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas, relating to property taxation.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 1. **System of taxation; classification; exemption.** (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, 2013, and each year thereafter. Except as otherwise hereinafter specifically

provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. *The legislature may provide by law to limit valuation increases on single-family residential real property which is owned and occupied as the principal place of residence of a Kansas resident who has served in the armed forces of the United States or the Kansas national guard and who is entitled to compensation for a service-connected disability of 100% under the laws administered by the veterans administration, and the legislature may enact legislation to limit application of this provision and enact such other legislation as is necessary to administer this provision.* The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain. Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located..... 11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution..... 30%
- (3) Vacant lots..... 12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law..... 12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed..... 33%
- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use..... 25%
- (7) All other urban and rural real property not otherwise specifically subclassified..... 30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Mobile homes used for residential purposes..... 11½%

- (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25%... 30%
- (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed..... 33%
- (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985..... 30%
- (5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property..... 25%
- (6) All other tangible personal property not otherwise specifically classified..... 30%

(b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"*Explanatory statement.* This amendment would authorize the legislature to limit valuation increases of single-family residential real property which is owned and occupied as the principal place of residence of a Kansas resident who is a 100% disabled veteran who has served in the armed forces of the United States or the Kansas national guard.

"A vote for this proposition would authorize the legislature to limit valuation increases of single-family residential real property which is owned and occupied as the principal place of residence of a Kansas resident who is a 100% disabled veteran who has served in the armed forces of the United States or the Kansas national guard. The amendment would also allow the legislature to enact legislation to limit application of this provision and enact other legislation as necessary to administer this provision.

"A vote against this proposition would maintain the current system of property taxation which provides no such authorization to limit such valuation increases."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this

resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election to be held on the first Tuesday after the first Monday in November, 2016, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. **HCR 5008**—

By Representatives Couture-Lovelady and Lusker

**HCR 5008**-- A PROPOSITION to amend the bill of rights of the constitution of the state of Kansas by adding a new section thereto, relating to the public right to hunt, fish and trap wildlife.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: The bill of rights of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

**"§21. Right of public to hunt, fish and trap wildlife.** The people have the right to hunt, fish and trap, including by the use of traditional methods, subject to laws and regulations that promote wildlife conservation and management and that preserve the future of hunting and fishing. Public hunting and fishing shall be a preferred means of managing and controlling wildlife. This section shall not be construed to modify any provision of law relating to trespass, property rights or water resources."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* This amendment is to preserve constitutionally the right of the public to hunt, fish and trap wildlife subject to reasonable laws and regulations. The right of the public to hunt, fish and trap shall not modify any provision of common law or statutes relating to trespass, eminent domain or any other private property rights.

"A vote for this proposition would constitutionally preserve the right of the public to hunt, fish and trap wildlife that has traditionally been taken by hunters, trappers and anglers. This public right is subject to state laws and rules and regulations regarding the management of wildlife and does not change or diminish common law or statutory rights relating to trespass, eminent domain or private property.

"A vote against this proposition would provide for no constitutional right of the public to hunt, fish and trap wildlife. It would maintain existing state laws and rules and regulations governing hunting, fishing and trapping wildlife."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of

the legislature, in which case it shall be submitted to the electors of the state at the special election.

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

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2063, HB 2069.**

Agriculture and Natural Resources Budget: **HB 2072.**

Federal and State Affairs: **HB 2074, HB 2075.**

Insurance: **HB 2064, HB 2065, HB 2066, HB 2067.**

Judiciary: **HB 2073.**

Taxation: **HB 2070, HB 2071.**

Transportation: **HB 2068.**

#### **CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2006** from Committee on Local Government and referral to Committee on Veterans, Military and Homeland Security.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, January 23, 2015.



# Journal of the House

## NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 23, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 111 members present.

Reps. Huebert and Kuether were excused on verified illness.

Reps. Johnson and Sloan were excused on legislative business.

Reps. Curtis, Estes, Henderson, Hutton, Kelley, Peck, Powell, Rhoades, Sawyer and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
Thank You for Your faithfulness and unfailing love.  
Today I ask that You give to these Your leaders,  
the ability to recognize that the day is full of promise.  
In their conversations and discussions,  
I ask that Your Spirit give them the power  
to turn blame and hostility  
into harmony and unity  
for the sake of the good of Kansans.  
In 2 Chronicles, Your Word admonishes  
“...the hand of God was on the people  
to give them unity of mind to carry out  
what the king and his officials had ordered,  
following the word of the Lord.”  
It is this spirit of unity that I ask You  
to bestow upon these leaders today.  
Amen.  
(2 Chronicles 30:12)

The Pledge of Allegiance was led by Rep. Finney.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2087**, AN ACT concerning firearms; relating to the sale of firearms; amending K.S.A. 2014 Supp. 12-16,124 and repealing the existing section, by Committee on

Federal and State Affairs.

**HB 2088**, AN ACT concerning alcoholic beverages; relating to the issuance of citations for statutory violations; amending K.S.A. 41-106 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2089**, AN ACT concerning alcoholic beverages; relating to licensure; relating to undisclosed beneficial interests in a license; amending K.S.A. 2014 Supp. 41-311 and 41-2623 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2090**, AN ACT concerning motor vehicles; relating to registration; permanent registration of certain vehicles, annual report; amending K.S.A. 2014 Supp. 8-1,134 and repealing the existing section, by Committee on Transportation.

**HB 2091**, AN ACT concerning motor vehicles; relating to registration; decals for license plates, serial numbers; amending K.S.A. 2014 Supp. 8-134 and repealing the existing section, by Committee on Transportation.

**HB 2092**, AN ACT concerning motor vehicles; relating to restricted drivers' licenses; seizure disorders; amending K.S.A. 2014 Supp. 8-247 and repealing the existing section, by Committee on Transportation.

**HB 2093**, AN ACT concerning motor vehicles; relating to commercial driver's licenses; endorsements or restrictions; amending K.S.A. 2014 Supp. 8-2,135 and repealing the existing section, by Committee on Transportation.

**HB 2094**, AN ACT concerning motor vehicles; relating to apportioned fleet registration; mileage applications, fees and calculations; amending K.S.A. 8-1,107 and repealing the existing section, by Committee on Transportation.

**HB 2095**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERs; requirements and procedures; employer contribution rates; amending K.S.A. 2014 Supp. 74-4914d and 74-4920 and repealing the existing sections, by Committee on Pensions and Benefits.

**HB 2096**, AN ACT concerning property owners' associations; amending K.S.A. 2014 Supp. 58-3820 and 58-4617 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2097**, AN ACT concerning search and rescue and hazardous material response matters; dealing with tort claims immunity; amending K.S.A. 2014 Supp. 75-6102 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

**HB 2098**, AN ACT designating a portion of U.S. 69 as the 2nd Lieutenant Justin L. Sisson memorial highway, by Representative Lunn.

**HB 2099**, AN ACT concerning the student data privacy act; authorizing school districts to administer certain surveys and questionnaires; amending K.S.A. 2014 Supp. 72-6219 and repealing the existing section, by Committee on Education.

**HB 2100**, AN ACT concerning the state treasurer; relating to financial institutions; creating tax deferred savings accounts for individuals with disabilities, by Committee on Children and Seniors.

**HB 2101**, AN ACT concerning trust instruments; relating to mediation or arbitration of disputes, by Committee on Judiciary.

**HB 2102**, AN ACT concerning the Kansas probate code; relating to elective share of surviving spouse; real estate; amending K.S.A. 59-6a209 and repealing the existing section; also repealing K.S.A. 59-505, by Committee on Judiciary.

**HB 2103**, AN ACT designating bridge no. 14(030) on Kansas highway 15 in Clay county as the Clay county Vietnam veterans bridge, by Representative Swanson.

**HB 2104**, AN ACT concerning elections; relating to filling vacancies of nominees; amending K.S.A. 22a-102, 25-306b and 25-3905 and K.S.A. 2014 Supp. 25-3904 and 25-3904a and repealing the existing sections, by Committee on Elections.

**HB 2105**, AN ACT concerning money laundering; enacting the Kansas comprehensive money laundering act, by Committee on Corrections and Juvenile Justice.

**HB 2106**, AN ACT concerning the Kansas uniform securities act; relating to criminal penalties; fees; amending K.S.A. 17-12a204 and K.S.A. 2014 Supp. 17-12a508 and 17-12a601 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 17-12a601a, by Committee on Corrections and Juvenile Justice.

**HB 2107**, AN ACT concerning crimes, punishment and criminal procedure; relating to delinquent time lost on parole; amending K.S.A. 2014 Supp. 75-5217 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2108**, AN ACT concerning elections; relating to straight ticket voting; amending K.S.A. 25-210 and 25-2901 and K.S.A. 2014 Supp. 25-618, 25-4406, 25-4409, 25-4411, 25-4607, 25-4610 and 25-4613 and repealing the existing sections, by Committee on Elections.

**HB 2109**, AN ACT concerning the Kansas probate code; relating to transfer-on-death deeds; lapsing or vesting of ownership in grantee beneficiary; amending K.S.A. 59-3504 and repealing the existing section, by Committee on Judiciary.

**HB 2110**, AN ACT concerning judges; relating to election of chief judge in each judicial district; amending K.S.A. 2014 Supp. 20-329 and repealing the existing section, by Committee on Judiciary.

**HB 2111**, AN ACT concerning the code of civil procedure; relating to items allowable as costs; amending K.S.A. 2014 Supp. 60-2003 and repealing the existing section, by Committee on Judiciary.

**HB 2112**, AN ACT concerning courts; relating to county law libraries; amending K.S.A. 20-3127 and repealing the existing section, by Committee on Judiciary.

**HB 2113**, AN ACT concerning the revised Kansas code for care of children; relating to court-appointed special advocates; creating the court-appointed special advocate program fund; amending K.S.A. 2014 Supp. 38-2206 and 38-2215 and repealing the existing sections, by Committee on Judiciary.

**HB 2114**, AN ACT concerning civil procedure; relating to the subpoena of nonparty business records; amending K.S.A. 2014 Supp. 60-245a and repealing the existing section, by Committee on Judiciary.

**HB 2115**, AN ACT concerning crimes and punishment; relating to aggravated battery, driving under the influence; amending K.S.A. 2014 Supp. 21-5413 and repealing the existing section, by Committee on Judiciary.

**HB 2116**, AN ACT naming the channel catfish the state fish, by Committee on Agriculture and Natural Resources.

**HB 2117**, AN ACT concerning boating and water activities; relating to boating safety education; amending K.S.A. 32-1139 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2118**, AN ACT concerning podiatry; amending K.S.A. 2014 Supp. 65-2002 and repealing the existing section, by Committee on Health and Human Services.

**HB 2119**, AN ACT concerning mental health technicians; fees; amending K.S.A. 65-4208 and repealing the existing section, by Committee on Health and Human Services.

**HB 2120**, AN ACT concerning the board of nursing; reinstatement of licenses; fees; amending K.S.A. 2014 Supp. 65-1118 and repealing the existing section, by Committee on Health and Human Services.

**HB 2121**, AN ACT relating to assistant attorneys general; amending K.S.A. 74-1111 and repealing the existing section, by Committee on Health and Human Services.

**HB 2122**, AN ACT concerning advanced practice registered nurses; amending K.S.A. 40-4602, 59-2976, 65-1660, 65-2892, 65-4134 and 65-5502 and K.S.A. 2013 Supp. 65-1626, as amended by section 4 of chapter 131 of the 2014 Session Laws of Kansas, 65-4101, as amended by section 50 of chapter 131 of the 2014 Session Laws of Kansas, 65-6112, as amended by section 51 of chapter 131 of the 2014 Session Laws of Kansas and 65-6124, as amended by section 52 of chapter 131 of the 2014 Session Laws of Kansas and K.S.A. 2014 Supp. 39-923, 39-1401, 39-1430, 39-1504, 65-468, 65-507, 65-1113, 65-1130, 65-1682, 65-2837a, 65-2921, 65-4116, 65-4202, 65-5402, 65-5418, 65-6119, 65-6120, 65-6121, 65-6123, 65-6144, 65-7003, 65-7302, 72-5213 and 75-7429 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2123**, AN ACT enacting the massage therapist licensure act; providing for powers, duties and functions of the state board of nursing; amending K.S.A. 2014 Supp. 74-1112 and repealing the existing section, by Committee on Health and Human Services.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolutions were referred to committees as indicated:

Education: **HB 2078**.

Elections: **HB 2082**, **HB 2083**.

Federal and State Affairs: **HCR 5008**.

Health and Human Services: **HB 2079**.

Judiciary: **HB 2080**, **HB 2081**.

Taxation: **HB 2076**, **HB 2077**, **HB 2086**, **HCR 5007**.

Transportation: **HB 2085**.

Utilities and Telecommunications: **HB 2084**.

## COMMUNICATIONS FROM STATE OFFICERS

From Candace LeDuc, Communications Coordinator, State Library of Kansas, Annual Report for 2014.

It is available online at <http://kslib.info/DocumentCenter/Home/View/4073>.

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

## REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2009** be amended on page 1, in line 24, by striking ", contractors,,"; also in line 24, after "who" by inserting "contract to work with or"; in line 25, by striking ", including temporary workers,,"; in line 33, by striking ",

contractors"; in line 34, after "persons." by inserting "Local law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section."; in line 36, by striking ", contractor";

On page 2, in line 2, by striking ", contractor"; in line 5, by striking "a temporary worker, or"; in line 17, after "person." by inserting "Local law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section."; in line 23, by striking ", temporary work"; and the bill be passed as amended.

#### **REPORT OF STANDING COMMITTEE**

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 9**, by Representative Russell Jennings, congratulating Yordi Peter Siersema in recognition for achievement of Eagle Scout;

**Request No. 10**, by Speaker Pro Tem Peggy Mast, congratulating Jeff Thompson in recognition for achievement of Order of the Arrow, Boys Scouts of America National Honor Society;

**Request No. 11**, by Speaker Pro Tem Peggy Mast, congratulating Christian James Smith in recognition for achievement of Eagle Scout; and for the God and Life Merit Badge

**Request No. 12**, by Representative Jim Kelly, commending Ken Brown for enhancing the tennis and life skills of Independence youth for over 40 years;

**Request No. 13**, by Representative Jim Kelly, congratulating Independence High School Girls Tennis Team for winning the 2014 State Championship;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HCR 5001** reported correctly enrolled and properly signed on January 23, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, January 26, 2015.

# Journal of the House

## TENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, January 26, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 119 members present.  
Rep. Edmonds was excused on verified illness.  
Reps. Goico, D. Jones, Kelley, Sawyer, and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
For this new day in which You have created,  
we thank You and ask that You help us relish each moment.  
In this body of leadership we have  
the adventurous and the cautious;  
the antagonistic, the acquiescent;  
those who are always calm,  
those who tend to be nervous;  
those who tend to conform,  
those who are very independent;  
the practical, the visionary;  
the self-controlled, the impulsive;  
those who are task-oriented, those who are people-oriented;  
those who like to talk, those who are good listeners;  
the conservative, the liberal;  
savers and spenders;  
the indirect and the direct.  
And yet, they are to come to agreement on  
very important issues.  
With man, this is impossible—  
with You, all things are possible.  
I ask that you make possible today that which we cannot.  
In Christ's name I pray,  
Amen

The Pledge of Allegiance was led by Rep. Ewy.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2124**, AN ACT concerning the uniform commercial code; relating to the exclusion of consumer transactions governed by federal law; amending K.S.A. 84-4a-108 and repealing the existing section, by Committee on Judiciary.

**HB 2125**, AN ACT concerning alcoholic beverages; relating to regulation of licensees; amending K.S.A. 41-321, 41-2609 and 41-2633a and K.S.A. 2014 Supp. 41-319, 41-320, 41-326, 41-328, 41-719 and 41-2611 and repealing the existing sections; also repealing K.S.A. 41-314, by Committee on Federal and State Affairs.

**HB 2126**, AN ACT concerning insurance; relating to risk-based capital instructions; property and casualty actuarial opinion law; amending K.S.A. 2014 Supp. 40-223j and 40-2c01 and repealing the existing sections, by Committee on Insurance.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2116**, **HB 2117**.

Children and Seniors: **HB 2100**.

Commerce, Labor and Economic Development: **HB 2096**.

Corrections and Juvenile Justice: **HB 2107**.

Education: **HB 2099**.

Elections: **HB 2104**, **HB 2108**.

Federal and State Affairs: **HB 2087**, **HB 2088**, **HB 2089**.

Health and Human Services: **HB 2118**, **HB 2119**, **HB 2120**, **HB 2121**, **HB 2122**, **HB 2123**.

Judiciary: **HB 2101**, **HB 2102**, **HB 2105**, **HB 2106**, **HB 2109**, **HB 2110**, **HB 2111**, **HB 2112**, **HB 2113**, **HB 2114**, **HB 2115**.

Pensions and Benefits: **HB 2095**.

Transportation: **HB 2090**, **HB 2091**, **HB 2092**, **HB 2093**, **HB 2094**, **HB 2098**, **HB 2103**.

Veterans, Military and Homeland Security: **HB 2097**.

## COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Ruiz to replace Rep. Winn on Committee on Federal and State Affairs for the week of January 26 through January 30.

Also, Rep. Lane is appointed to replace Rep. Winn on Committee on Education Budget for the week of January 26 through January 30.

Also, Rep. Burroughs is appointed to replace Rep. Sawyer on Committee on Elections for January 26 and January 28.

Also, Rep. Ruiz is appointed to replace Rep. Sawyer on Committee of Taxation for the week of January 26 through January 30.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 27, 2015.

# Journal of the House

## ELEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 27, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 118 members present.

Rep. Edmonds was excused on verified illness.

Reps. Dove, Goico, Kelley, Moxley, Sawyer and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Most gracious and loving God,  
thank You once again for the opportunity  
to live and enjoy a beautiful day which you have created.  
As our leaders continue their work in creating,  
discussing, debating, vetoing or passing bills,  
grant them wisdom and discernment.  
It has been said that  
“If you don’t like something, change it.  
If you can’t change it,  
change your attitude.  
Don’t complain.”  
Remind our leaders of these words of wisdom  
as they collaborate together.  
In Your power, wisdom and strength I ask this,  
Amen.  
(quote from Maya Angelou)

The Pledge of Allegiance was led by Rep. Becker.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Lunn are spread upon the Journal:

Today I am privileged to honor the memory of 2<sup>nd</sup> Lt. Justin Lee Sisson. Justin was born in Minnesota, but moved back to Kansas shortly after he was born. Before leaving



home for college at Florida State, Justin lived in Kansas for 13 of his first 18 years, including the last 7 years in Overland Park, where he graduated from Blue Valley West High School in 2007. We have received an enormous amount of emails from Justin's teachers, friends, and people who were inspired by his story. Although every person seemed to have something unique to say about Justin, they all had a similar element in common. Justin was a leader who demonstrated humility and genuine concern for those he interacted with. Justin took leave from Florida State University to deploy to Iraq with the National Guard; Sisson earned a Bronze Star Medal for his honorable service.

Nearly a year after Sisson's graduation from Florida State, he deployed to Afghanistan in support of Operation Enduring Freedom. On June 3, while on foot with his platoon, after a meeting with local officials, a teacher from a nearby children's school detonated explosives while on his motorbike, it was a suicide bombing. 2 Lieutenant Sisson, Specialist (SPC) Robert Allen Peirce, an Afghan policeman, and ten school children were killed. Nine other members of the platoon were injured, some still recovering from their wounds today. He could have been laid to rest anywhere, including Arlington cemetery, but he humbly chose to be buried in Leavenworth, KS beside two of his veteran grandfathers.

He clearly made an impact on everyone he met. Justin's character can best be summed up by the remarks from one of his fellow soldiers:

"When you think of the value a life it is impossible to grasp or comprehend. Nonetheless, it is worth pondering. According to the law, all men are created equal, but are all men, in fact, equal?"

We are created equally, but we do not live equally. I have never been one to shower others with compliments because, quite frankly, most do not deserve praise. Most people I have met fall into the category of ordinary and accept mediocrity as a way of life. There are, however, those who shine like a burning example of what excellence looks like. They are the living proof that all men are not, and never will be, equal. Such a man touched my life in an indescribable way. He was a man of discipline, honor, and fortitude. I met him years ago in a place where I knew no one and from the beginning we looked out for each other. We are forged together through struggle and hardship.

He was a man that you could cast all your worries upon and then he would brush you off, look you in the eye, and compel you to continue on, and much to your surprise, with a lighter heart and quicker step. He was, by all account, extraordinary. His own drive and dedication stoked a fire within me. I feel honored to have served alongside a man who I can affectionately call my brother; a brothe4r who has given everything for me and for you. If he were here today, I know without a shadow of a doubt, he would do it all again. That's the kind of man he was. He would lay his life down for you and you alone. He was one of the bravest I have ever met and he brought great honor to his Country and this Army and to those who knew him, not because he died, but because of the way he lived.

The magnitude of his presence is something I cannot describe to you. If you did not know him then you will not understand. For those who knew him, these words do not begin to describe what I mean and what you undoubtedly felt. He was one of those few who have a tangible pull. Just as the earth pulls our feet to the ground, by sheer force of will and outstanding nature of his character, he pulled men together. As is clearly seen by the wake of his accomplishments, he was among the best that this nation had to offer. We are all at a loss. I, myself, am pained with sorrow.

My only request is that we honor our brother with our lives. To meet life head on with a fervor and a moral fiber that cannot be shaken and to live as he lived. With humility, grace, passion, professionalism, and charisma. I pray that I can follow the example that he set, for the path that he set was not easy. Second Lieutenant Justin Lee Sisson, you will never be forgotten.”

I am honored to present this certificate of recognition to a fallen American Patriot, 2<sup>nd</sup> Lt. Justin Sisson, on behalf of the Kansas State Legislature.

Rep. Lunn also introduced family members and friends of 2<sup>nd</sup> Lt. Sisson to the members of the House.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

**HB 2127**, AN ACT concerning sales taxation; relating to exemptions; friends of hospice of Jefferson county; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2128**, AN ACT concerning taxation; relating to permitted use of tax information; tax liens upon personal property; warrants; time for returns and payment of tax; liability for persons responsible for collection of sales or compensating tax; amending K.S.A. 2014 Supp. 75-5133, 79-3234, 79-3235, 79-3235a, 79-3607, 79-3617, 79-3643 and 79-41a03 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 79-3235b, by Committee on Taxation.

**HB 2129**, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; amending K.S.A. 2014 Supp. 21-5419, 21-6614, 21-6618, 21-6620, 21-6622, 21-6628, 21-6629, 21-6806, 22-3717, 22-4902, 22-4906, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117, 72-1397 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-5401, 21-6614e, 21-6617 and 21-6619, by Committee on Judiciary.

**HB 2130**, AN ACT concerning the code of civil procedure; relating to wrongful death actions; amount of damages; amending K.S.A. 60-1903 and repealing the existing section, by Committee on Judiciary.

**HB 2131**, AN ACT concerning oil and gas; relating to the abandoned oil and gas well fund, extension of transfers; amending K.S.A. 2014 Supp. 55-193 and repealing the existing section, by Committee on Energy and Environment.

**HB 2132**, AN ACT concerning oil and gas; relating to natural gas injection wells, ownership, rule of capture; amending K.S.A. 55-1210 and repealing the existing section, by Committee on Energy and Environment.

**HB 2133**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, and June 30, 2016, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 72-8814, 74-4914d, 74-4920 and 74-50,107 and repealing the existing sections, by Committee on Appropriations.

**HB 2134**, AN ACT concerning consumer credit; relating to security freezes on protected consumer reports; amending K.S.A. 2014 Supp. 50-702 and repealing the

existing section, by Committee on Appropriations.

**HB 2135**, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Committee on Joint Committee on Special Claims Against the State.

**HB 2136**, AN ACT concerning taxation; providing homestead property tax refunds for renters; amending K.S.A. 2014 Supp. 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections, by Representative Dannebohm.

**HB 2137**, AN ACT enacting the police and citizen protection act; relating to use of body cameras by law enforcement officers, by Committee on Corrections and Juvenile Justice.

**HB 2138**, AN ACT concerning criminal procedure; relating to municipal courts; relating to appearance bonds; amending K.S.A. 12-4301 and 12-4303 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2139**, AN ACT concerning postsecondary education; relating to residency for purposes of tuition and fees; amending K.S.A. 2014 Supp. 76-729 and repealing the existing section; also repealing K.S.A. 2014 Supp. 76-731a, by Representatives Rubin, Barker, Barton, Bradford, Hedke, Hildabrand, Hutchins, K. Jones, Kiegerl, Lunn, Macheers, L. Osterman, Peck, Read, Suellentrop and Sutton.

**HB 2140**, AN ACT concerning criminal procedure; relating to appeals; interlocutory appeals; transfer of appeals by the prosecution to the supreme court; amending K.S.A. 2014 Supp. 22-3602 and 22-3603 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2141**, AN ACT concerning bail enforcement agents; relating to licensure by the attorney general; sureties and bail agents; amending K.S.A. 2014 Supp. 22-2809a and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2142**, AN ACT concerning insurance; relating to certain definitions; amending K.S.A. 2014 Supp. 40-2,118 and 40-22a13 and repealing the existing sections, by Committee on Insurance.

HOUSE CONCURRENT RESOLUTION No. **HCR 5009**—

By Committee on Judiciary

**HCR 5009**-- A PROPOSITION to amend section 5 of article 3 of the constitution of the state of Kansas; relating to justices of the supreme court and retention in office.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 5 of article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

**"§ 5. Selection of justices of the supreme court.** (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file ~~his~~ such justice's declaration of candidacy to ~~succeed himself~~ be retained in

office as hereinafter required, or failure of a justice to be elected to ~~succeed himself~~ *be retained in office*, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(b) In event of the failure of the governor to make the appointment within sixty days from the time the names of the nominees are submitted to ~~him~~ *the governor*, the chief justice of the supreme court shall make the appointment from such nominees.

(c) Each justice of the supreme court appointed pursuant to provisions of subsection (a) ~~of this section~~ shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of twelve months in office. Not less than sixty days prior to the holding of the general election next preceding the expiration of ~~his~~ *such justice's* term of office, ~~any~~ *the* justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for ~~election to succeed himself~~ *retention in office*. If a declaration is not so filed, the position held by such justice shall be open from the expiration of ~~his~~ *such justice's* term of office. If such declaration is filed, ~~his~~ *such justice's* name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall

---

(Here insert name of justice.)

---

(Here insert the title of the court.)  
be retained in office?"

If ~~a majority~~ *33%* of those voting on the question vote against retaining ~~him~~ *the justice* in office, the position or office which ~~he~~ *the justice* holds shall be open upon the expiration of ~~his~~ *such justice's* term of office. Otherwise ~~he~~ *the justice* shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term ~~he~~ *the justice* shall, unless by law ~~he~~ *the justice* is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(d) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." ~~Said~~ *Such* commission shall be organized as hereinafter provided.

(e) The supreme court nominating commission shall be composed as follows: One member, who shall be ~~chairman~~ *chairperson*, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district.

(f) The terms of office, the procedure for selection and certification of the

members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

(g) No member of the supreme court nominating commission shall, while ~~he is~~ a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of its members."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to change the vote required to not retain a supreme court justice from a majority of those voting on the question to 33% of those voting on the question.

"A vote for this proposition would change the vote required to not retain a supreme court justice from a majority of those voting on the question to 33% of those voting on the question. If 33% of those voting on the question vote against retaining the justice in office, the position which the justice holds shall be vacant upon the expiration of the justice's term of office.

"A vote against this proposition would continue the current law on the vote required to not retain a supreme court justice. If a majority of those voting on the question vote against retaining the justice in office, the position which the justice holds shall be vacant upon the expiration of the justice's term of office."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2125**.

Insurance: **HB 2126**.

Judiciary: **HB 2124**.

## COMMUNICATIONS FROM STATE OFFICERS

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, KHRC Annual Report for 2014.

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

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Kleeb in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Kleeb, Committee of the Whole report, as follows, was adopted:

Recommended that roll call was demanded on motion of Rep. Rubin to amend **HR 6004** on page 16, in line 5, by striking "(e)" and inserting "(g)";

On page 23, following line 9, by inserting:

"(b) A roll call vote shall be taken in the Committee of the Whole on any motion to report a bill, a bill as amended, a resolution or a concurrent resolution, or a resolution or a concurrent resolution as amended, favorably for passage.

(c) A roll call vote shall be taken in the Committee of the Whole on any motion to amend a bill, a resolution or a concurrent resolution.";

And by redesignating subsections accordingly;

Also on page 23, in line 19, by striking "(e)" and inserting "(g)";

On page 26, in line 9, by striking "(e)" and inserting "(b), (c) or (g)";

On page 29, in line 17, by striking "subsection (c) of";

On roll call, the vote was: Yeas 51; Nays 67; Present but not voting: 0; Absent or not voting: 7.

Yeas: Anthimides, Becker, Bollier, Bradford, Bridges, Bruchman, Couture-Lovelady, Campbell, Carmichael, B. Carpenter, Clark, Clayton, DeGraaf, Dierks, Doll, Esau, Ewy, Finch, Finney, Gallagher, Garber, Grosserode, Hedke, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houser, Houston, Jennings, K. Jones, Kiegerl, Lusk, Macheers, O'Brien, L. Osterman, Ousley, Peck, Read, Rhoades, Rooker, Rubin, Scapa, Sloan, Sutton, Swanson, Trimmer, Ward, Whipple, Whitmer.

Nays: Alcalá, Alford, Ballard, Barker, Barton, Billinger, Boldra, Brunk, Burroughs, Carlin, W. Carpenter, Claeys, Concannon, Corbet, Curtis, Dannebohm, Davis, Estes, Francis, Frownfelter, Gonzalez, Hawkins, Hemsley, Henderson, Henry, Highland, Hoffman, Huebert, Hutchins, Hutton, Johnson, D. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusker, Mason, Mast, McPherson, Merrick, Patton, Pauls, Phillips, Powell, Proehl, Ruiz, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Thimesch, Thompson, Tietze, Todd, Vickrey, Victors, Waymaster, Williams, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Dove, Edmonds, Goico, Kelley, Moxley, Sawyer, Winn.

The motion of Rep. Rubin did not prevail.

Also, roll call was demanded on further motion of Rep. Rubin to amend **HR 6004** on page 1, in line 13, after "a.m." by inserting **"No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session."**;

On roll call, the vote was: Yeas 69; Nays 49; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Anthimides, Ballard, Becker, Bollier, Bradford, Bridges, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, DeGraaf, Dierks, Doll, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Grosserode, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houser, Houston, Huebert, Jennings, Johnson, K. Jones, Kelly, Kiegerl, Kuether, Lusk, Lusker, Mason, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman

Sr., Sloan, Smith, Sutton, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Wolfe Moore.

Nays: Alcalá, Barker, Barton, Billinger, Boldra, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Dannebohm, Davis, Esau, Estes, Gonzalez, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Hutchins, Hutton, D. Jones, Kahrs, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Merrick, Powell, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Thimesch, Todd, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Dove, Edmonds, Goico, Kelley, Moxley, Sawyer, Winn.

The motion of Rep. Rubin prevailed.

Also, roll call was demanded on motion of Rep. Hineman to amend **HR 6004** ON page 30, in line 33, by striking "**Appropriation**" and inserting "**Requirements Prior to Consideration of Appropriation and other**"; also in line 33, after "Bills." by inserting "(a)";

Also on page 30, in line 36, by striking "24" and inserting "48"; also in line 36, after "House." by inserting "The supplemental note to each appropriation bill shall be printed and distributed, or shall be made available to members electronically online, and all members shall be notified by e-mail, at least 48 hours before such bill is considered by the House.

(b) All bills other than appropriation bills shall be printed and distributed, or shall be made available to members electronically online, and all members shall be notified by email, at least 24 hours before such bills are considered by the House. The supplemental note and fiscal note to such bills shall be printed and distributed or shall be made available to members electronically online, and all members shall be notified by e-mail, at least 24 hours before such bills are considered by the House.";

On roll call, the vote was: Yeas 52; Nays 66; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Ballard, Becker, Bollier, Bradford, Bridges, Bruchman, Burroughs, Campbell, Carmichael, Clayton, Curtis, DeGraaf, Dierks, Doll, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kiegerl, Kuether, Lane, Lusk, Lusker, Ousley, Peck, Phillips, Rhoades, Rooker, Rubin, Ruiz, Scapa, Sloan, Smith, Swanson, Tietze, Trimmer, Victors, Ward, Wilson, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Brunk, Couture-Lovelady, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Dannebohm, Davis, Esau, Estes, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, L. Osterman, Patton, Pauls, Powell, Proehl, Read, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whipple, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Dove, Edmonds, Goico, Kelley, Moxley, Sawyer, Winn.

The motion of Rep. Hineman did not prevail; and **HR 6004** be adopted as amended.

Roll call was demanded on motion of Rep. Rubin to amend **HCR 5002** on page 4, in line 28, by striking "subject"; in line 37, after the period, by inserting "Only one



additional bill or concurrent resolution or part of a bill or concurrent resolution in conference or in a bill or concurrent resolution which has passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution.";

On roll call, the vote was: Yeas 82; Nays 35; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, DeGraaf, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Grosserode, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, K. Jones, Kelly, Kiegerl, Kuether, Lane, Lusk, Lusker, McPherson, O'Brien, L. Osterman, Ousley, Patton, Peck, Phillips, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Scapa, Schwartz, Sloan, Smith, Sutton, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Wolfe Moore.

Nays: Barker, B. Carpenter, W. Carpenter, Claeys, Corbet, Dannebohm, Davis, Gonzalez, Hawkins, Hedke, Hemsley, Highland, Hoffman, Hutton, D. Jones, Kahrs, KleeB, Lunn, Macheers, Mason, Mast, Merrick, Pauls, Powell, Ryckman, Ryckman Sr., Schroeder, Schwab, Seiwert, Suellentrop, Thimesch, Todd, Vickrey, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Brunk, Dove, Edmonds, Goico, Kelley, Moxley, Sawyer, Winn. The motion of Rep. Rubin prevailed.

Also, on motion of Rep. Schwab to amend **HCR 5002**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Schroeder to amend **HCR 5002** on page 8, by striking all in lines 41 through 43;

On page 9, by striking all in lines 1 through 6;

On roll call, the vote was: Yeas 39; Nays 77; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, Dierks, Doll, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Kiegerl, Kuether, Lane, Lusk, Lusker, Ousley, Rooker, Ruiz, Schroeder, Sloan, Swanson, Tietze, Trimmer, Victors, Ward, Wilson, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Esau, Estes, Ewy, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, KleeB, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, L. Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whipple, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Becker, Dannebohm, Dove, Edmonds, Goico, Kelley, Moxley, Sawyer, Winn.

The motion of Rep. Schroeder did not prevail; and **HCR 5002** be adopted as



amended.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Appropriations** recommends **HB 2005** be passed.

Committee on **Appropriations** recommends **HB 2010** be amended on page 1, in line 10, by striking "an" and inserting "any state agency or any"; in line 12, by striking "an" and inserting "any state agency or any"; in line 17, by striking "an" and inserting "any state agency or any"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2023** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2143**, AN ACT concerning state governmental ethics; relating to lobbying restrictions; amending K.S.A. 46-232 and repealing the existing section, by Representative Ward.

**HB 2144**, AN ACT concerning voter registration; amending K.S.A. 2014 Supp. 25-2309 and repealing the existing section, by Representative Ward.

**HB 2145**, AN ACT concerning elections; enacting the help Kansas vote act; amending the crime of perjury; amending K.S.A. 2014 Supp. 21-5903 and 25-2309 and repealing the existing sections, by Representative Ward.

**HB 2146**, AN ACT concerning county election officers; amending K.S.A. 46-246a and repealing the existing section, by Representative Ward.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 28, 2015.

# Journal of the House

## TWELFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 28, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.  
Rep. Edmonds was excused on verified illness.  
Rep. Burroughs was excused on legislative business.  
Reps. Doll, Goico, Seiwert and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Sustainer God,  
Thank You for this day.  
I ask that You remind our leaders frequently  
that when they are weak, You are strong;  
when they call upon You and put their faith and trust in You,  
You can move mountains for them;  
When they are attacked,  
You help them stand strong in the face of enemies.  
When voices of doubt, temptations and fears come upon them,  
help them sense Your presence,  
feel your love, and walk in Your courage.  
I also ask that you be with Representative Goico's wife  
as she goes into surgery today.  
Use the gifts and skills of the medical personnel  
and bring her through surgery successfully.  
We ask that you grant a quick recovery.  
This I pray in Christ's Name,  
Amen

The Pledge of Allegiance was led by Rep. Francis.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2147**, AN ACT concerning civil procedure; relating to protection orders; protection from abuse act; protection from stalking act; amending K.S.A. 60-3102, 60-

31a01, 60-31a02, 60-31a03, 60-31a07, 60-31a08 and 60-31a09 and K.S.A. 2014 Supp. 21-5924, 60-31a04, 60-31a05 and 60-31a06 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2148**, AN ACT creating the Kansas transparency act; concerning legislative meetings; providing for live audio broadcasts, by Representatives Clayton, Becker, Bridges, Clark, Dierks, Doll, Finney, Hibbard, Highberger, Hildabrand, Hill, Hineman, Kuether, Lusk, Moxley, Phillips, Rooker, Rubin, Tietze, Trimmer, Ward, Whipple, Williams and Wolfe Moore.

**HB 2149**, AN ACT concerning the Kansas program of medical assistance; relating to donor human breast milk, by Committee on Health and Human Services.

**HB 2150**, AN ACT enacting the Kansas death with dignity act, by Committee on Vision 2020.

**HB 2151**, AN ACT concerning workplace bullying, abuse and harassment of state employees; state agency policy to address and correct workplace bullying, abuse and harassment, by Committee on Appropriations.

**HB 2152**, AN ACT concerning state employees; relating to discretionary holiday leave, by Committee on Appropriations.

**HB 2153**, AN ACT creating the taxpayer empowerment, accountability and transparency in state contracting act, by Committee on Appropriations.

**HB 2154**, AN ACT concerning employment; relating to private sector employers; pertaining to certain veterans, by Committee on Veterans, Military and Homeland Security.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills resolution were referred to committees as indicated:

Appropriations: **HB 2133, HB 2134, HB 2135.**

Corrections and Juvenile Justice: **HB 2137, HB 2138, HB 2140, HB 2141.**

Elections: **HB 2143, HB 2144, HB 2145, HB 2146.**

Energy and Environment: **HB 2131, HB 2132.**

Federal and State Affairs: **HB 2139.**

Insurance: **HB 2142.**

Judiciary: **HB 2129, HB 2130, HCR 5009.**

Taxation: **HB 2127, HB 2128, HB 2136.**

## CONSENT CALENDAR

Objection was made to **HB 2023** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HCR 5002**, A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2015-2016 biennium, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 3; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlin, B.

Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Bridges, Carmichael, Ward.

Present but not voting: None.

Absent or not voting: Burroughs, Doll, Edmonds, Goico, Seiwert, Winn.

The resolution was adopted, as amended.

**HR 6004**, A RESOLUTION adopting permanent rules of the House of Representatives for the 2015-2016 biennium, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 6; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Bridges, Carlin, Carmichael, Schwab, Trimmer, Ward.

Present but not voting: None.

Absent or not voting: Burroughs, Doll, Edmonds, Goico, Seiwert, Winn.

The resolution was adopted, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Transportation** recommends **HB 2098** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2155**, AN ACT concerning militia; relating to reemployment of persons called to duty; amending K.S.A. 48-517 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

**HB 2156**, AN ACT concerning public water supply storage; amending K.S.A. 2014 Supp. 82a-1604 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2157**, AN ACT concerning motor vehicles; relating to the use of safety belts; establishing the seat belt safety fund; amending K.S.A. 2014 Supp. 8-2504, 12-4120 and 74-7336 and repealing the existing sections, by Committee on Transportation.

**HB 2158**, AN ACT concerning crimes, punishment and criminal procedure; relating to murder in the second degree; sentencing of certain persons to mandatory minimum term of imprisonment; amending K.S.A. 2014 Supp. 21-5403, 21-6620 and 22-3717 and repealing the existing sections, by Committee on Judiciary.

**HB 2159**, AN ACT concerning driving; relating to convictions and diversions; habitual violator status; expungement of driving under the influence and other driving offenses; amending K.S.A. 2014 Supp. 8-285, 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 12-4516b and 21-6614e, by Committee on Judiciary.

**HB 2160**, AN ACT concerning courts; relating to docket fees; electronic filing and management fund and judicial branch docket fee fund; amending K.S.A. 2014 Supp. 20-1a16 and 20-362 and repealing the existing sections, by Committee on Judiciary.

**HB 2161**, AN ACT concerning churches; relating to disputes involving church congregations, by Committee on Judiciary.

**HB 2162**, AN ACT concerning alcoholic beverages; amending K.S.A. 2014 Supp. 41-710 and repealing the existing section, by Committee on Local Government.

**HB 2163**, AN ACT concerning municipalities; amending K.S.A. 12-2908 and repealing the existing section, by Committee on Local Government.

**HB 2164**, AN ACT concerning sewer districts; amending K.S.A. 19-27a19 and repealing the existing section, by Committee on Local Government.

**HB 2165**, AN ACT concerning certain improvement districts; amending K.S.A. 19-2761 and repealing the existing section, by Committee on Local Government.

**HB 2166**, AN ACT concerning the uniform act regulating traffic; relating to height and length of vehicles and loads; exceptions to maximums; amending K.S.A. 2014 Supp. 8-1904 and repealing the existing section, by Committee on Appropriations.

**HB 2167**, AN ACT concerning property taxation; relating to time for payment of real estate taxes, interest; amending K.S.A. 2014 Supp. 79-2004 and repealing the existing section, by Committee on Taxation.

**HB 2168**, AN ACT concerning property taxation; relating to exemptions and classifications; bed and breakfast homes; amending K.S.A. 2014 Supp. 79-1439 and repealing the existing section, by Committee on Taxation.

**HB 2169**, AN ACT concerning sales taxation; relating to exemptions; assistance league of Wichita; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2170**, AN ACT concerning schools and school districts; relating to seclusion and

restraint of pupils, by Committee on Children and Seniors.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 29, 2015.

# Journal of the House

## THIRTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 29, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 116 members present.

Reps. Edmonds and Schwab were excused on verified illness.

Rep. Sloan was excused on legislative business.

Reps. Doll, Goico, Jennings, Sawyer, Suellentrop and Winn were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. David Hintz, pastor, Flint Hills Christian Church, Emporia, and guest of Rep. Mast:

Father, your word tells us in:

***Romans 13:1 Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God.***

You have appointed each and every member of this congress. They have been entrusted with an authority which is from you. Lord I pray that they will see such authority as a stewardship. Keep them uncorrupted by the allurements of power. May they use their power in a righteous way for righteous means.

We read in: ***Proverbs 29:2 When the righteous increase, the people rejoice, but when the wicked rule, the people groan.***

Lord this is so true. A wise man once said, "Absolute Power Corrupts Absolutely." This is true of people but not of you. Thus, I pray that they will make decisions in light of your absolute power.

Specifically, I pray that they will look to the example of your Son Jesus Christ. While He could have commanded legions of angels to rescue him from the fate of the cross. He yielded to your will, sacrificially offering himself on the cross as an atonement for sin. He willingly sacrificed himself for the sake of His subjects.

May these men and women take a similar tactic, and use their power and authority not to enrich themselves, but the citizens of Kansas.

In Jesus Name, AMEN.

The Pledge of Allegiance was led by Rep. Kuether.

### **CELEBRATION OF KANSAS DAY**

In celebration of the 154<sup>th</sup> birthday of Kansas, Rep. Ballard led the members of the House in singing “Home on the Range.”

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2171**, AN ACT concerning the Kansas lottery; amending K.S.A. 74-8704 and 74-8718 and K.S.A. 2014 Supp. 74-8702 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2172**, AN ACT concerning nurse aide trainees; criminal background checks, by Representative Whipple.

**HB 2173**, AN ACT concerning campaign finance; relating to judicial retention elections; amending K.S.A. 25-2505 and 25-4144 and K.S.A. 2014 Supp. 25-4143 and 25-4153 and repealing the existing sections, by Committee on Judiciary.

**HB 2174**, AN ACT concerning schools; relating to the tax credit for low income students scholarship program act; amending K.S.A. 2014 Supp. 72-99a02, 72-99a03 and 72-99a04 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2175**, AN ACT concerning the pet animal act; relating to euthanasia; amending K.S.A. 47-1718 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2176**, AN ACT concerning health insurance policies providing prescription drug coverage; relating to fills and refills; amending K.S.A. 2014 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2177**, AN ACT concerning the secretary of health and environment; relating to solid and hazardous waste; voluntary cleanup and property redevelopment act; amending K.S.A. 65-34,167, 65-34,168 and 65-34,169 and repealing the existing sections; also repealing K.S.A. 65-34,170, by Committee on Energy and Environment.

**HB 2178**, AN ACT concerning income tax; relating to the Kansas standard deduction of an individual; amending K.S.A. 2014 Supp. 79-32,119 and repealing the existing section, by Committee on Taxation.

**HB 2179**, AN ACT concerning property taxation; relating to mineral interests, recordation, validation of certain interests; amending K.S.A. 79-420 and repealing the existing section, by Committee on Taxation.

**HB 2180**, AN ACT concerning motor vehicles; relating to driver's licenses; creating the temporary visitor's driver's license; amending K.S.A. 2014 Supp. 8-237, 8-240 and 8-1324 and repealing the existing sections, by Committee on Transportation.

**HB 2181**, AN ACT concerning motor vehicles; relating to certificates of title, fees, disposition of moneys; amending K.S.A. 2014 Supp. 8-135, 8-139, 8-145, 8-170 and 8-198 and repealing the existing sections, by Committee on Transportation.



**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2156, HB 2166.**

Appropriations: **HB 2152, HB 2153.**

Children and Seniors: **HB 2170.**

General Government Budget: **HB 2148.**

Health and Human Services: **HB 2149, HB 2150.**

Judiciary: **HB 2147, HB 2151, HB 2158, HB 2159, HB 2160, HB 2161.**

Local Government: **HB 2162, HB 2163, HB 2164, HB 2165.**

Taxation: **HB 2167, HB 2168, HB 2169.**

Transportation: **HB 2157.**

Veterans, Military and Homeland Security: **HB 2154, HB 2155.**

**CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2134** from Committee on Appropriations and referral to Committee on Financial Institutions.

**COMMUNICATIONS FROM STATE OFFICERS**

From Mike Michael, Director, State Employee Health Plan, Kansas Department of Health and Environment, in compliance with K.S.A. 75-6509, Kansas State Employees Health Care Commission 2014 Annual Report.

From Nadira Patrick, Manager, Job Creation Fund Program, Kansas Department of Commerce, as required by K.S.A. 74-50,224, Job Creation Fund Program 2014 Annual Report.

From Joseph House, Executive Director, Kansas Board of Emergency Medical Services, report on Revolving and Assistance Fund Grant Program, 2015 Legislative Session,

From Martha Gabehart, Executive Director, Kansas Commission on Disability Concerns, 2014 Annual Report.

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

**MESSAGE FROM THE SENATE**

Announcing passage of **SB 4.**

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was thereupon introduced and read by title:

**SB 4.**

**CONSENT CALENDAR**

Objection was made to **HB 2098** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2048** be amended on page 1, in line 27, by striking "Any"; by striking all in line 28; in line 29, by striking "constitution" and inserting "Any thing which has been used in the commission of a crime, or any contraband or any property which constitutes or may be considered a part of the evidence, fruits or instrumentalities of a crime under the laws of this state, any other state or of the United States. The term "fruits" as used in this act shall be interpreted to include any property into which the thing or things unlawfully taken or possessed may have been converted";

Also on page 1, following line 33, by inserting:

"(D) any biological material, DNA, cellular material, blood, hair or fingerprints;";  
 Also on page 1, in line 34, by striking "(D)" and inserting "(E)"; in line 36, by striking "(E)" and inserting "(F)"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2008** be amended on page 1, following line 4, by inserting:

"Section 1. K.S.A. 2014 Supp. 46-1226 is hereby amended to read as follows: 46-1226. (a) Any cost study analysis, audit or other study commissioned or funded by the legislature and any conclusions or recommendations thereof shall not be binding upon the legislature. The legislature may reject, at any time, any such analysis, audit or study and any conclusions and recommendations thereof.

(b) A cost study analysis, audit or study shall include, but not be limited to, any cost study analysis, audit or study conducted pursuant to K.S.A. 46-1225, prior to its repeal, K.S.A. 2007 Supp. 46-1131, prior to its repeal, and K.S.A. 2014 Supp. 46-1132, ~~and amendments thereto prior to its repeal.~~";

Also on page 1, in line 5, by striking "and" and inserting a comma; also in line 5, after "46-1132" by inserting "and 46-1226";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "repealing K.S.A. 2014 Supp. 46-1130 and 46-1132;"; in line 2, after "audits" by inserting "; amending K.S.A. 2014 Supp. 46-1226 and repealing the existing section; also repealing K.S.A. 2014 Supp. 46-1130 and 46-1132"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2064** be passed.

Committee on **Local Government** recommends **HB 2003** be amended on page 2, in line 38, after the second "county" by inserting a comma; also in line 38, by striking "unanimous" and inserting "2/3"; in line 39, after "vote" by inserting "of the members thereof;"; in line 41, by striking "and that the"; by striking all in line 42; in line 43, by striking "surrounding the land proposed to be annexed"; and the bill be passed as amended.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 14**, by Representative Jerry Lunn, in honor and memory of Second Lieutenant Justin Lee Sisson, for his bravery and outstanding courage in Afghanistan in support of Operation Enduring Freedom;

**Request No. 15**, by Representative Ron Ryckman, congratulating David A. R. White in recognition of his successful career as an actor, director and producer. He is the co-founder of PURE-FLIX, which maintains its position as the number one faith based studio in the country;

**Request No. 16**, by Representative Jim Kelly, congratulating Bille Lewark-Wood in recognition of her 90<sup>th</sup> birthday;

**Request No. 17**, by Representative Sue Boldra, congratulating Michael A. Gabel in recognition for achievement of Eagle Scout;

**Request No. 18**, by Representative Sue Boldra, congratulating Thomas More Prep – Marion Singers for their outstanding performance at the Kansas Inauguration on January 12<sup>th</sup>, 2015;

**Request No. 19**, by Representative Don Schroeder, congratulations Abbey Pomeroy for serving as Miss Rodeo Kansas 2015;

**Request No. 20**, by Representative Willie Dove, congratulating Brooke Bolon for receiving the Girl Scout Gold Award;

**Request No. 21**, by Representative Willie Dove, congratulating Celeste Bartels for receiving the Girl Scout Gold Award;

**Request No. 22**, by Representative Susan Concannon, congratulating Larry Wilson on his retirement from United Parcel Service;

**Request No. 23**, by Representative Anthimides. Congratulating Wichita Police Department on the success of the Homeless Outreach Team;

**Request No. 24**, by Representative S. Mike Kiegerl, congratulating Jessie Payne for receiving the Girl Scout Gold Award;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

**HB 2182**, AN ACT concerning campaign finance; dealing with contributions; amending K.S.A. 2014 Supp. 25-4153a and repealing the existing section, by Committee on Elections.

**HB 2183**, AN ACT concerning campaign finance; relating to political campaigns and technology; amending K.S.A. 2014 Supp. 25-4153a, 25-4156 and 25-4169a and repealing the existing sections, by Committee on Elections.

**HB 2184**, AN ACT concerning governmental ethics; relating to benefits for state officers and employees; filings by lobbyists; amending K.S.A. 46-237 and 46-268 and repealing the existing sections, by Committee on Elections.

**HB 2185**, AN ACT concerning elections; dealing with the use of school buildings as polling places, by Committee on Elections.

**HB 2186**, AN ACT concerning postsecondary educational institutions; relating to the use of state funds; prohibiting academic boycotts of certain countries or institutions of

higher education located in certain countries, by Representative Todd.

**HB 2187**, AN ACT concerning abortion; creating the Kansas unborn child protection from dismemberment abortion act, by Committee on Federal and State Affairs.

**HB 2188**, AN ACT concerning driver's licenses; requiring certain individuals to enter into a payment plan to receive restricted driving privileges; amending K.S.A. 2014 Supp. 8-2110 and repealing the existing section, by Representative Todd.

**HB 2189**, AN ACT concerning alcoholic beverages; relating to microbreweries; amending K.S.A. 41-708 and K.S.A. 2014 Supp. 41-308b and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2190**, AN ACT concerning firearms; relating to the personal and family protection act; relating to exemptions for state and municipal buildings; amending K.S.A. 2014 Supp. 75-7c20 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2191**, AN ACT concerning alcoholic beverages; relating to provision of samples by distributor licensees; amending K.S.A. 41-709 and K.S.A. 2014 Supp. 41-306, 41-306a and 41-307 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2192**, AN ACT concerning the secretary of health and environment; relating to solid and hazardous waste, Kansas storage tank act; creating the environmental stewardship fund; amending K.S.A. 65-34,119 and K.S.A. 2014 Supp. 65-34,117 and 65-34,131 and repealing the existing sections, by Committee on Energy and Environment.

**HB 2193**, AN ACT concerning the secretary of health and environment; relating to contamination of the soils and waters of the state; creating the risk management program act, by Committee on Energy and Environment.

HOUSE CONCURRENT RESOLUTION No. **HCR 5010**—

By Representatives DeGraaf, Anthimides, Barton, Bradford, Brunk, Campbell, B. Carpenter, Dannebohm, Dove, Esau, Estes, Ewy, Garber, Gonzalez, Hawkins, Hedke, Hibbard, Hildabrand, Hoffman, Huebert, Hutchins, Johnson, K. Jones, Kahrs, Kelley, Kiegerl, Macheers, Mason, O'Brien, L. Osterman, Peck, Powell, Read, Rhoades, Rubin, Scapa, Seiwert, Sutton, Waymaster, Whitmer and Williams

**HCR 5010** – A CONCURRENT RESOLUTION making application to the Congress of the United States to call a convention for the purpose of proposing amendments to the Constitution of the United States that impose limits on the federal government.

WHEREAS, The founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

WHEREAS, The federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, The federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

WHEREAS, The federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

WHEREAS, It is the solemn duty of the states to protect the liberty of our people — particularly for the generations to come — by proposing amendments to the

Constitution of the United States through a convention of the states under Article V for the purpose of restraining these and related abuses of power: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* The legislature of the state of Kansas hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government and limit the terms of office for its officials and for members of Congress; and

*Be it further resolved:* This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made application on the same subject; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the President and Secretary of the United States Senate and the Speaker and the Clerk of the United States House of Representatives, to the members of the United States Senate and the United States House of Representatives from this state and to the presiding officers of each of the legislative chambers in the several states.

#### **REPORT ON ENGROSSED BILLS**

**HCR 5002** reported correctly engrossed January 28, 2015.

Also, **HR 6004** reported correctly engrossed January 29, 2015.

On motion of Rep. Vickrey the House adjourned pro forma until 8:00 a.m. on Friday, January 30, 2015.

# Journal of the House

FOURTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 30, 2015, 8:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Merrick in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2175**.

Appropriations: **SB 4**.

Education: **HB 2186**.

Education Budget: **HB 2174**.

Elections: **HB 2173, HB 2182, HB 2183, HB 2184, HB 2185**.

Energy and Environment: **HB 2192, HB 2193**.

Federal and State Affairs: **HB 2171, HB 2187, HB 2189, HB 2190, HB 2191, HCR 5010**.

Health and Human Services: **HB 2172, HB 2176**.

Local Government: **HB 2177**.

Taxation: **HB 2178, HB 2179**.

Transportation: **HB 2180, HB 2181, HB 2188**.

## COMMUNICATIONS FROM STATE OFFICERS

From Ray Roberts, Secretary of Corrections, Kansas Department of Corrections, Cost Study of Youth Residential Centers for Juvenile Offenders.

From Tim Shallenburger, President, Kansas Development Finance Authority, Annual Financial Report for years ended June 30, 2014 and 2013. The Report is also available on the KDFA website: [www.kdfa.org](http://www.kdfa.org).

From Shari Feist Albrecht, Chair, Jeff McClanahan, Director, Utilities Division and Mike Hoeme, Director, Transportation Division, Kansas Corporation Commission, pursuant to the provisions of K.S.A. 66-117b, 2015 Utilities and Common Carriers Annual Report.

From Shari Feist Albrecht, Chair, and Jeff McClanahan, Director, Utilities Division, Kansas Corporation Commission, pursuant to K.S.A. 66-1282, Report on Electric Supply and Demand.

From Shari Feist Albrecht, Chair, and Jeff McClanahan, Director, Utilities, pursuant to K.S.A. 2013 Supp. 66-2005, 2015 Annual Price Deregulation Report.

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

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 2, 2015.

# Journal of the House

## FIFTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 2, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 117 members present.

Reps. Edmonds, Johnson and Kiegerl were excused on verified illness.

Reps. Goico, Kelley, Sawyer, Schwartz and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,  
Thank You for this beautiful day  
with all the sunshine, albeit very cold.  
Since the groundhog can see his shadow  
it appears that we have six more weeks of winter,  
and a few more weeks of political debate.  
I pray for each of these leaders  
that they will remember that  
where they stand in the conflict,  
that is their place.  
Just when they think they are useless,  
they will not hide their face.  
For You have placed them here for a purpose,  
whatever that may be,  
May they be thankful You have chosen them,  
and work faithfully.  
Please be with Lt. Governor Colyer and his family  
as they mourn the death of his father.  
Bring grace, strength, hope and comfort  
as only You can in times like these.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Dove.



## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2194**, AN ACT regulating traffic; establishing a safety corridor program, safety corridor fund; amending K.S.A. 2014 Supp. 8-1560c, 8-1560d, 8-2118 and 74-7336 and repealing the existing sections, by Committee on Transportation.

**HB 2195**, AN ACT regulating traffic; concerning right-of-way violations; providing for increased penalties in certain cases, by Committee on Transportation.

**HB 2196**, AN ACT concerning abandoned property; relating to de minimis amounts of property; amending K.S.A. 2014 Supp. 58-3935 and repealing the existing section, by Committee on Taxation.

**HB 2197**, AN ACT concerning municipalities; relating to land banks; amending K.S.A. 2014 Supp. 12-5909 and repealing the existing section, by Committee on Taxation.

**HB 2198**, AN ACT concerning children and minors; relating to possession or consumption of alcoholic beverages; immunity from liability for minor seeking medical assistance; amending K.S.A. 2014 Supp. 41-727 and repealing the existing section, by Committee on Judiciary.

**HB 2199**, AN ACT concerning human sexuality education; school districts' policies and procedures, by Committee on Education.

**HB 2200**, AN ACT concerning alcoholic beverages; relating to retailer's licenses; amending K.S.A. 2014 Supp. 41-102, 41-301, 41-303, 41-304, 41-308, 41-308d, 41-310, 41-311, 41-313, 41-326, 41-713 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103 and 41-711, by Committee on Federal and State Affairs.

**HB 2201**, AN ACT concerning the adult care home licensure act; relating to adult care home requirements, admissions and penalties; licensed and unlicensed employees; amending K.S.A. 39-953b and K.S.A. 2014 Supp. 39-936, 39-946 and 39-953a and repealing the existing sections, by Representative Wilson.

**HB 2202**, AN ACT concerning the Kansas program of medical assistance; relating to service provider audits; enacting the service provider audit protection act, by Committee on Health and Human Services.

## CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2176** from Committee on Health and Human Services and referral to Committee on Insurance.

## COMMUNICATIONS FROM STATE OFFICERS

From Ken Selzer, CPA, Commissioner of Insurance, Kansas Insurance Department, pursuant to K.S.A. 44-566(a), Kansas Workers Compensation Fund, 2014 Fiscal Year End Report.

From Ron Estes, Kansas State Treasurer, 2014 Annual Report for the Kansas State Treasurer's Office.

From Honorable Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program, 2014 Annual Report.

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

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2005** be passed.

Committee report to **HB 2009** be adopted; and the bill be passed as amended.

Roll call was demanded on motion of Rep. Ward to amend **HB 2023**, on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2014 Supp. 45-217 is hereby amended to read as follows: 45-217. As used in the open records act, unless the context otherwise requires:

(a) "Business day" means any day other than a Saturday, Sunday or day designated as a holiday by the congress of the United States, by the legislature or governor of this state or by the respective political subdivision of this state.

(b) "Clearly unwarranted invasion of personal privacy" means revealing information that would be highly offensive to a reasonable person, including information that may pose a risk to a person or property and is not of legitimate concern to the public.

(c) "Criminal investigation records" means records of an investigatory agency or criminal justice agency as defined by K.S.A. 22-4701, and amendments thereto, compiled in the process of preventing, detecting or investigating violations of criminal law, but does not include police blotter entries, court records, rosters of inmates of jails or other correctional or detention facilities or records pertaining to violations of any traffic law other than vehicular homicide as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2014 Supp. 21-5406, and amendments thereto.

(d) "Custodian" means the official custodian or any person designated by the official custodian to carry out the duties of custodian of this act.

(e) "Electronic media" means any electronic medium which may be used to transmit recorded information.

(f) "Official custodian" means any officer or employee of a public agency who is responsible for the maintenance of public records, regardless of whether such records are in the officer's or employee's actual personal custody and control.

~~(g)~~ (1) "Public agency" means the state or any political or taxing subdivision of the state or any office, officer, agency or instrumentality thereof, or any other entity receiving or expending and supported in whole or in part by the public funds appropriated by the state or by public funds of any political or taxing subdivision of the state.

(2) "Public agency" shall not include:

(A) Any entity solely by reason of payment from public funds for property, goods or services of such entity; (B) any municipal judge, judge of the district court, judge of the court of appeals or justice of the supreme court; or (C) any officer or employee of the state or political or taxing subdivision of the state if the state or political or taxing subdivision does not provide the officer or employee with an office which is open to the public at least 35 hours a week.

~~(g)~~ (h) (1) "Public record" means any recorded information, regardless of form or characteristics, which is made, maintained or kept by or is in the possession of any

public agency in the furtherance of such public agency's duties, if such recorded information has a substantial nexus with the public agency's duties, whether or not such recorded information is made or maintained using electronic media funded by public funds including, but not limited to, an agreement in settlement of litigation involving the Kansas public employees retirement system and the investment of moneys of the fund.

(2) "Public record" shall not include records which are owned by a private person or entity and are not related to functions, activities, programs or operations funded by public funds or records which are made, maintained or kept by an individual who is a member of the legislature or of the governing body of any political or taxing subdivision of the state.

(3) "Public record" shall not include records of employers related to the employer's individually identifiable contributions made on behalf of employees for workers compensation, social security, unemployment insurance or retirement. The provisions of this subsection shall not apply to records of employers of lump-sum payments for contributions as described in this subsection paid for any group, division or section of an agency.

~~(H)~~ (i) "Undercover agent" means an employee of a public agency responsible for criminal law enforcement who is engaged in the detection or investigation of violations of criminal law in a capacity where such employee's identity or employment by the public agency is secret.;

On page 6, in line 30, after "Supp." by inserting "45-217,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "legislative review of exceptions to"; also in line 1, after "records" by inserting "act; relating to definitions; exceptions"; in line 2, after "Supp." by inserting "45-217,";

On roll call, the vote was: Yeas 30; Nays 86; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Ballard, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, Finney, Frownfelter, Henderson, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Ruiz, Schroeder, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeyes, Clark, Concannon, Corbet, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, D. Jones, K. Jones, Kahrs, Kelly, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Edmonds, Goico, Johnson, Kelley, Kiegerl, Kleeb, Sawyer, Schwartz, Winn.

The motion of Rep. Ward did not prevail; and **HB 2023** be passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2075** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

**HB 2203**, AN ACT concerning school districts; relating to agreements for administrative services and analysis of such services, by Committee on Education Budget.

**HB 2204**, AN ACT concerning insurance; enacting the claim information reporting act; providing for short-term medical plans; amending K.S.A. 2014 Supp. 40-2,193 and repealing the existing section, by Committee on Health and Human Services.

HOUSE CONCURRENT RESOLUTION No. **HCR 5011**—  
By Committee on Education Budget

**HCR 5011**--A CONCURRENT RESOLUTION supporting the Kansas board of regents' strategic plan for postsecondary education excellence, known as Foresight 2020.

WHEREAS, The goals of the Kansas board of regents' strategic plan for postsecondary education known as Foresight 2020 are to increase postsecondary education attainment among Kansans, improve alignment of the state's postsecondary education system with the needs of the Kansas economy and ensure state university excellence; and

WHEREAS, The state, its businesses and industries, and individual Kansans will be best served if the board of regents is supported in its efforts to achieve these goals; and

WHEREAS, Achieving a postsecondary education credential can be a contributing factor to the success of citizens in getting and retaining high-quality jobs; and

WHEREAS, Retaining individuals who have postsecondary credentials in Kansas is encouraged for meeting workforce demands and ensuring a competitive Kansas workforce; and

WHEREAS, Attaining an increased level of postsecondary education is encouraged for economic prosperity for the state and the individual; and

WHEREAS, Increasing educational attainment among the adult population is one of the most important objectives for any state: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas concurring therein:* That the legislature supports the Kansas board of regents' strategic plan for achieving postsecondary education attainment, as set forth in Foresight 2020, and specifically the objective of increasing to 60% or more by the year 2020 the number of Kansas adults who have a certificate, associate's degree or a bachelor's degree; and

*Be it further resolved:* That the legislature encourages the board of regents, in consultation with the local boards of education, secretary of commerce, secretary of labor, commissioner of education, postsecondary educational institutions, the Washburn institute of technology, private business and industry, and other interested entities, to

develop and execute a plan to increase the overall postsecondary educational attainment among Kansans needed to fuel economic growth in Kansas; and

*Be it further resolved:* That the legislature, in consultation with the Kansas board of regents, encourages the development of a performance-based funding formula that will help achieve the desired goals; and

*Be it further resolved:* That the Secretary of State shall send an enrolled copy of this resolution to the chair of the Kansas board of regents, secretary of commerce, secretary of labor and commissioner of education.

### COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment Rep. Frownfelter to replace Rep. Wilson on Committee on Insurance.

Also, Rep. Ruiz is appointed to replace Rep. Sawyer on Committee on Taxation on February 2.

Also, Rep. Burroughs is appointed to replace Rep. Sawyer on the Committee on Elections on February 2.

Also, Rep. Ruiz is appointed to replace Rep. Winn on Committee on Federal and State Affairs on February 2 and February 3.

Also, Rep. Lane is appointed to replace Rep. Winn on Committee on Education Budget on February 2 and February 3.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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### AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

### REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 4** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 4," as follows:

"House Substitute for SENATE BILL NO. 4

By Committee on Appropriations

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, and June 30, 2016, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 72-8814, 74-4914d, 74-4920 and 74-50,107 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 4** was thereupon introduced and read by title.)

### REPORT ON ENGROSSED BILLS

**HB 2009** reported correctly engrossed February 2, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 3, 2015.

# Journal of the House

## SIXTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 3, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Reps. Kiegerl and Proehl were excused on verified illness.

Reps. Goico, Kelley, Sawyer and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Heavenly Father,  
For the great and small things we experience today,  
we thank You for life and the gift of this day.  
For these men and women, I pray  
for strength, wisdom, kindness and a spirit of unity.  
They are not supermen or wonder women.  
They are just doing the work they were elected to do.  
They cannot be in more than one place at a time.  
They may not smile all the time.  
They do not like to be called out by the media or constituents.  
They won't keep everyone happy.  
They can't expect everyone to agree with them.  
They will not get every bill passed.  
They will not win every argument.  
They can, however, do unto each other  
as they would have done unto them.  
They can be considerate and polite.  
They can be determined and persistent.  
They can respect one another.  
In their diversity, they can find common ground.  
And, most of all, I believe they will put forth their best effort  
into making the tough decisions that need to be made.  
To accomplish this, they need clarity of thought  
and Your guidance, wisdom and compassion.  
It is for Your gift of these qualities that I pray,  
in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Bollier.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2205**, AN ACT concerning advanced practice registered nurses; amending K.S.A. 2014 Supp. 65-1113 and 65-1130 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2206**, AN ACT concerning firearms; enacting the gun violence restraining order act; amending the protection from abuse act; criminal distribution of firearms; criminal possession of a firearm; domestic batterers; amending K.S.A. 2014 Supp. 21-6303 and 60-3107, by Committee on Judiciary.

**HB 2207**, AN ACT concerning schools; relating to ethnic studies, by Committee on Education.

**HB 2208**, AN ACT concerning alcoholic beverages; prohibiting the sale of powdered alcohol; amending K.S.A. 2014 Supp. 41-102 and 41-2640 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2209**, AN ACT concerning income taxation; relating to credits; individual development account program; amending K.S.A. 2014 Supp. 74-50,208 and repealing the existing section, by Committee on Taxation.

**HB 2210**, AN ACT concerning counties; relating to expansion of the board of county commissioners; amending K.S.A. 2014 Supp. 19-203 and repealing the existing section, by Committee on Elections.

**HB 2211**, AN ACT concerning campaign finance; relating to contributions; amending K.S.A. 2014 Supp. 25-4153a and repealing the existing section, by Committee on Elections.

**HB 2212**, AN ACT concerning campaign finance; relating to political committees; creating city political committees; amending K.S.A. 2014 Supp. 25-4143 and repealing the existing section, by Committee on Elections.

**HB 2213**, AN ACT concerning campaign finance; relating to campaign contributions; amending K.S.A. 25-4149 and K.S.A. 2014 Supp. 25-4153 and repealing the existing sections, by Committee on Elections.

**HB 2214**, AN ACT concerning filling vacancies of certain offices and candidacies; relating to the procedure of appointment; amending K.S.A. 2014 Supp. 25-3902 and 25-3904 and repealing the existing sections, by Committee on Elections.

**HB 2215**, AN ACT concerning certain public officers and employees; relating to the use of unexpended campaign funds; amending K.S.A. 25-4142 and K.S.A. 2014 Supp. 25-4143 and 25-4157a and repealing the existing sections, by Committee on Elections.

**HB 2216**, AN ACT concerning banks and banking; relating to the Kansas money transmitter act; amending K.S.A. 2014 Supp. 9-508, 9-509, 9-510, 9-513a and 9-513b and repealing the existing sections, by Committee on Financial Institutions.

**HB 2217**, AN ACT concerning racial profiling; relating to data collection by law enforcement; amending K.S.A. 2014 Supp. 22-4606, 22-4610 and 22-4611a and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Children and Seniors: **HB 2201**.  
 Commerce, Labor and Economic Development: **HB 2200**.  
 Education: **HB 2199, HB 2203, HCR 5011**.  
 Health and Human Services: **HB 2202**.  
 Insurance: **HB 2204**.  
 Judiciary: **HB 2198**.  
 Local Government: **HB 2197**.  
 Taxation: **HB 2196**.  
 Transportation: **HB 2194, HB 2195**.

## CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2174** from Committee on Education Budget and referral to Committee on Education.

## COMMUNICATIONS FROM STATE OFFICERS

From Pat George, Secretary of Commerce, in accordance with K.S.A. 12-17,169(c), STAR Bond Annual Report – 2014.

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

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2005**, AN ACT concerning the office of information technology services; relating to separate agency status for budgetary purposes, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claesys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Kiegerl, Proehl, Sawyer, Winn.

The bill passed.



**HB 2009**, AN ACT concerning the division of post audit; relating to background checks; amending K.S.A. 2014 Supp. 46-1103 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Kiegerl, Proehl, Sawyer, Winn.

The bill passed, as amended.

**HB 2023**, AN ACT concerning legislative review of exceptions to open records; amending K.S.A. 2014 Supp. 45-229 and 60-3351 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Kiegerl, Proehl, Sawyer, Winn.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report, as follows, was adopted: Recommended that on motion of Rep. Vickrey, pursuant to House Rule 2311, House Rule 3905 be suspended requiring printing and distribution of **H Sub for SB 4** 24 hours before consideration.

Also, on motion of Rep. Vickrey, pursuant to House Rule 2311, House Rule 1704 be suspended for the purpose of allowing the following members to speak more than once on **H Sub for SB 4**: Reps. Henry, Grosserode, Schwartz and Kleeb.

Committee report recommending a substitute bill to **H Sub SB 4** be adopted; also, on motion of Rep. Phillips to amend **H Sub for SB 4**, the motion did not prevail; and the substitute bill be passed.

### REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2049, HB 2051, HB 2055, HB 2056** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2017** be amended on page 1, in line 24, by striking ", when done in a rude, "; in line 25, by striking "insulting or angry manner" and inserting ":

(i) Resulting in great bodily harm to another person or disfigurement of another person; or

(ii) when done in a rude, insulting or angry manner";

On page 3, in line 33, after "(b)(1)(A)" by inserting "or (b)(1)(D)(i)"; in line 34, by striking "or" and inserting a comma; also in line 34, after "(b)(1)(C)" by inserting "or (b)(1)(D)(ii)"; in line 39, by striking "; and"; in line 40, by striking all before the period; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2082, 2083** be passed.

Committee on **Elections** recommends **HB 2108** be amended on page 1, in line 17, by striking "a cross or check" and inserting "the appropriate"; also in line 17, after "square" by inserting "or oval";

On page 2, in line 23, by striking "a cross or"; in line 24, by striking "check" and inserting "the appropriate"; also in line 24, after "square" by inserting "or oval"; in line 26, by striking "a cross or check" and inserting "the appropriate"; also in line 26, after "square" by inserting "or oval";

On page 3, in line 12, by striking "a cross or check" and inserting "the appropriate"; also in line 12, after "squares" by inserting "or ovals"; in line 14, after "square" by inserting "or oval"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2042, HB 2043** be passed.

Committee on **Insurance** recommends **HB 2065** be passed.

Committee on **Judiciary** recommends **HB 2025** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2218**, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; aggravated burglary; amending K.S.A. 2014 Supp. 21-5807 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2219**, AN ACT regulating traffic; concerning the operation of a motor vehicle; providing penalties for the use of a wireless communication device, license examination questions; amending K.S.A. 8-2118 and K.S.A. 2014 Supp. 8-240 and 8-15,111 and repealing the existing sections, by Committee on Utilities and Telecommunications.

**HB 2220**, AN ACT concerning teachers; relating to contracts; amending K.S.A. 2014 Supp. 72-5436, 72-5437, 72-5438, 72-5439 and 72-5445 and repealing the existing sections, by Representatives Whipple, Alcalá, Ballard, Bridges, Burroughs, Carmichael, Clayton, Curtis, Dierks, Henderson, Highberger, Houston, Kuether, Lane, Lusk, Ousley, Rooker, Tietze, Trimmer, Victors, Ward and Wolfe Moore.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Ruiz to replace Rep. Sawyer on Committee on Taxation for Tuesday, February 3 through Thursday, February 5.

Also, Rep. Curtis is appointed to replace Rep. Sawyer on Committee on Elections on Wednesday, February 4.

Also, Rep. Houston is appointed to replace Rep. Winn on Committee on Education Budget on Tuesday, February 3.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 4, 2015.

# Journal of the House

## SEVENTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 4, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Reps. Goico, Peck and Sawyer were excused on excused absence by the Speaker.

Prayer by Rep. Dove, who sang “The Lord’s Prayer.”

Our Father, which art in heaven,  
Hallowed be thy Name.  
Thy Kingdom come.  
Thy will be done in earth,  
As it is in heaven.  
Give us this day our daily bread.  
And forgive us our trespasses,  
As we forgive those who trespass against us.  
And lead us not into temptation,  
But deliver us from evil.  
For thine is the kingdom,  
The power, and the glory,  
For ever and ever.  
Amen.

Arissa Ahtone and Shaniah Leslie, of the Wichita and affiliated tribes, provided native sign language of the prayer.

The Pledge of Allegiance was led by Rep. Victors.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Victors are spread upon the Journal:

On this second anniversary of “Native American Legislative Day,” I would like to take this opportunity to graciously introduce and welcome our tribal leaders and council members from the Prairie Band Potawatomi Nation, Kickapoo Nation, Sac and Fox

Nation, as well as the Iowa tribe of Kansas and Nebraska and welcome them to our state Capitol. I would also like to thank the students from Haskell Indian Nations University for taking time out of their busy schedules to perform “The Lord’s Prayer” in our native sign language.

In 2013, we honored our Native American veterans from Kansas for their service to our country. This year, we would like to recognize the Native American youth of Kansas. I would like to welcome the Royal Valley Native American Singers and Dancers to our House chamber. They are the only school-sponsored dance group in Kansas. They recently traveled to Bartlesville, Oklahoma and brought home the championship trophy in the 12<sup>th</sup> annual “Battle of the Plains Native American Youth Dance Competition.” Several dancers of the group also placed in individual dance competitions and took home awards. The group is sponsored by Anita Evans, who is also affiliated with the Prairie Band Potawatomi Boys and Girls Club, where she teaches our Native American youth their rich culture and heritage. I would like to take this opportunity to thank her for her dedication and mentoring of our Native youth.

I am very proud of all of their accomplishments and what they contribute to our state. I would like to thank them for being with us here today. They will be performing for us from 12:15-1:00 p.m., first floor of the rotunda. Please stop by and show your support. Also, don’t forget there will be a reception this evening, in honor of “Native American Legislative Day.”

Rep. Victors presented a House certificate to Anita Evans.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Seiwert are spread upon the Journal:

Micayla Gutierrez, seventh grade student at Eisenhower Middle School in Goddard, Kansas, was the winner of the “If I were Mayor...” contest sponsored by the League of Kansas Municipalities. She has traveled to Topeka for City Hall Day where she will be presented her award. Accompanying her are her parents, Nicole and Robert Gutierrez; grandmother, Sandy Edwards; EMS Principal, Jerry Longabaugh; EMS English teacher, Cary Miller and Goddard Mayor, Marcey Gregory.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2221**, AN ACT concerning grand juries; summoning; jury instructions; witnesses; amending K.S.A. 2014 Supp. 22-3001 and repealing the existing section, by Committee on Judiciary.

**HB 2222**, AN ACT concerning the Kansas offender registration act; relating to municipal court ordinance violations; amending K.S.A. 2014 Supp. 12-4106, 22-4902 and 22-4906 and repealing the existing sections, by Committee on Judiciary.

**HB 2223**, AN ACT concerning the dispensing of alcoholic liquor, by Committee on Federal and State Affairs.

**HB 2224**, AN ACT concerning technical professions; relating to scope of practice; amending K.S.A. 2014 Supp. 74-7003, 74-7031, 74-7032, 74-7033, 74-7034 and 74-

7040 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2225**, AN ACT concerning medical retainer agreements; providing that such agreements do not constitute insurance, by Committee on Health and Human Services.

**HB 2226**, AN ACT concerning hospitals; relating to notice to patients of observation status, by Committee on Health and Human Services.

**HB 2227**, AN ACT concerning water; relating to water conservation areas; establishment, by Committee on Agriculture and Natural Resources.

**HB 2228**, AN ACT concerning military members and veterans; relating to postsecondary educational institutions; tuition and fees; amending K.S.A. 2014 Supp. 76-729 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

**HB 2229**, AN ACT designating the junction of interstate highway 70 and 110th street as the Bert Cantwell memorial interchange, by Committee on Transportation.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2205**.

Corrections and Juvenile Justice: **HB 2217, HB 2218**.

Education: **HB 2207, HB 2220**.

Elections: **HB 2210, HB 2211, HB 2212, HB 2213, HB 2214, HB 2215**.

Federal and State Affairs: **HB 2208**.

Financial Institutions: **HB 2216**.

Judiciary: **HB 2206**.

Taxation: **HB 2209**.

Utilities and Telecommunications: **HB 2219**.

### COMMUNICATIONS FROM STATE OFFICERS

From Ken Selzer, CPA, Commissioner of Insurance, pursuant to K.S.A. 40-108, 2014 Annual Report of the Kansas Insurance Department.

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

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Finch, **HR 6006**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6006**—

By Representative Finch

**HR 6006**--A RESOLUTION commemorating the 150<sup>th</sup> Anniversary of Ottawa University in Ottawa, Kansas.

WHEREAS, Ottawa University traces its roots to a strong partnership between Baptist missionaries and the Ottawa Indian tribe that began prior to Kansas' statehood; and

WHEREAS, In 1837, the Reverend Jotham Meeker, his wife, Eleanor Richardson Meeker, and their children moved to the banks of the Marais des Cygnes River to devote themselves to serving as ministers, physicians, teachers and counselors to the Ottawa Indian tribes who had recently been moved to the area; and

WHEREAS, Reverend Meeker inspired others, including John Tecumseh "Tauy" Jones, to take up this work of building a vibrant partnership with the tribal leaders; and

WHEREAS, This partnership between the Kansas Baptist denomination and the Ottawa Indian Tribe, under Tauy Jones' leadership, led to the foundation in 1865 of a school dedicated to the benefit of the children of the Ottawa people, placed on 20,000 acres of land endowed by the Tribe to support the establishment of the institution; and

WHEREAS, The original charter was to form a boarding school for tribal children. Both parties quickly recognized the importance of offering a college-level education and the understanding by members of the Tribe, the Baptists, and the people of Ottawa that a college would serve as an economic growth engine for the emerging community around the Marais des Cygnes; and

WHEREAS, Ottawa University's Christian heritage and respectful partnership with the Ottawa Indians remains alive and powerful today, evidenced by the 2008 agreement between Kevin Eichner, President of the University, and Chief John Ballard of the Ottawa Tribe of Oklahoma to grant, in perpetuity, free tuition, room and board to all certified tribal members who wish to attend either the residential college in Ottawa, Kansas or any of Ottawa University's adult on-campus or online programs. This agreement has been widely embraced and celebrated by faculty, alumni, board members and friends of the University and by tribal members as emblematic of the institution's core mission and principles and its enduring commitment to serve the mutual purposes of its founders; and

WHEREAS, Throughout its history, Ottawa University has pursued an innovative approach to higher education's role in society. In the 1970s, Ottawa University was one of the first to embrace a growing demand for programs specifically tailored to the needs of adult students, opening an adult campus in Kansas City in 1974, in Phoenix, Arizona in 1977, in Brookfield, Wisconsin in 1992, in Jeffersonville, Indiana in 2002, and in Chandler, Arizona in 2009. The University also began offering exclusive degree programs online in 2008; and

WHEREAS, Ottawa University's mission is to provide the highest quality liberal arts and professional education in a caring, Christ-centered community of grace – which integrates faith, learning and life; and

WHEREAS, Ottawa University serves more than 4,800 students from 49 states and 16 countries; and

WHEREAS, Ottawa University employs more than 200 Kansans as faculty and staff who are equally committed to ensuring that each and every student receives personal attention and the highest quality education that honors the school's mission and history; and

WHEREAS, There are more than 23,000 distinguished graduates of Ottawa University serving their communities, professions and churches around the world; and

WHEREAS, Ottawa University has grown from a single building to a comprehensive, global institution of higher learning dedicated to preparing students for a lifetime of enlightened faith, exemplary service, inspired leadership and personal growth and significance; and

WHEREAS, Ottawa University's commitment to education exemplifies the best of Kansas' past, present and future and serves as an inspiration to all Kansans: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commend and celebrate the 150<sup>th</sup> Anniversary of Ottawa University in Ottawa, Kansas. Ottawa University inspires students of Kansas to lead with competence and character and we urge all Kansans to celebrate its success.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send 8 enrolled copies of this resolution to Representative Finch.

There being no objection, the following remarks of Rep. Finch are spread upon the Journal:

One hundred fifty years ago a small Baptist mission along the Marias des Cygnes River in Franklin County, Kansas gave life to one of its most enduring successes, an enduring institution of higher learning. Ottawa University was born in the time of great national upheaval during our country's civil war. Native peoples had been and would continue to suffer greatly under forced relocations and unfair treaties.

In the midst of this great turmoil, Ottawa University was founded upon a different and more humane notion. That native and new could work together in harmony to build a lasting monument to the power of education to change lives, improve fortunes and better the world. The Ottawa Indian Tribe donated the land that would eventually endow Ottawa University and in exchange the school agreed to provide an education to the future children of the Ottawa Tribe. This is a promise still being kept today.

Those visionary tribal leaders and school founders could not have foreseen what would become of their school. Today Ottawa University continues to be an adult education innovator in Kansas City and across the country at its seven campuses and online, all while continuing to serve traditional students at its residential campus in Ottawa. Ottawa University prepares students for lives of significance and embodies that promise for the future as its graduates of all ages enter not only the workforce, but also our communities as excellently educated, well-rounded citizens ready to lead the course of tomorrow, both in Kansas and the nation.

I want to recognize Ottawa University's current cadre of Visionary Leadership, Mr. Kevin Eichner, President of the University; Ms. Wyndee Lee, Chair of the Board of Trustees, and Ms. Lisa Johnson, Director of Regulatory Compliance and Government Affairs.

Please join me in congratulating Ottawa University as it celebrates its 150<sup>th</sup> anniversary, an important milestone in its history, and proudly, one for our great state of Kansas.

## **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**H Sub for SB 4**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, and June 30, 2016, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and



acts incidental to the foregoing; amending K.S.A. 2014 Supp. 72-8814, 74-4914d, 74-4920 and 74-50,107 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 34; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Dannebohm, Davis, Dierks, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Bridges, Burroughs, Campbell, Carlin, Carmichael, Curtis, DeGraaf, Doll, Edmonds, Finney, Frownfelter, Henderson, Henry, Highberger, Houston, Kelley, Kuether, Lane, Lusk, Lusker, Ousley, Rhoades, Ruiz, Sloan, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Peck, Sawyer.

The substitute bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: We have a cancer in Kansas government – it is growing rapidly and it is destroying essential services, diminishing our public schools, reducing public safety and denigrating our infrastructure. H Sub for SB 4 hurts poor children and damages KPERS but does nothing to cure the cancer killing the quality of life in Kansas. I vote no on **H Sub for SB 4**. --JIM WARD

MR. SPEAKER: When the 2012 and 2013 tax plans were discussed, many legislators, researchers and economists warned that they would create catastrophic budget deficits by 2016. Here we are one year ahead of these predictions. To balance this year's budget we now have to cut more than \$300 million from the last few months of the current fiscal year. While I realize we must balance our budget, I cannot support a solution that, coupled with the Governor's allotments, sacrifices the future of our children, seniors, medically underserved, infrastructure, veterans, public safety, disaster relief, and education system. We vote no on **H Sub for SB 4**.--ED TRIMMER, ANNIE TEITZE, PONKA-WE VICTORS, JOHN ALCALÁ, LOUIS RUIZ, PAM CURTIS, ADAM LUSKER, RODERICK HOUSTON, NANCY LUSK, JARROD OUSLEY, VALDENIA WINN, BARBARA BALLARD

MR. SPEAKER: I applaud the work of Appropriations. My vote is not in opposition to their work, but in support of what is required to appropriate well: priority-based budgeting. Across the board cuts are a blunt instrument; priority-based budgeting is a laser.

Two years ago, we had FY 2015 below \$6 billion. Six months later, a rescission took it to \$6.2 billion. Now FY 2015 is up to \$6.35 billion.

Agencies will use priority-based budgeting only if advanced and enforced by the administration. We are what we measure. Until we quantify and annually evaluate the effectiveness of programs, we cannot confidently defend blunt cuts or new spending. I vote no on **H Sub for SB 4**. --MARC RHOADES, KASHA KELLEY

MR. SPEAKER: I cast my vote in support of **H Sub for SB 4** with reservation. Transferring funds from KDOT, reducing highway maintenance and the use of funds normally reserved for children's programs are not practices we should continue to embrace to balance the budget. While the urgency of our current situation requires extraordinary steps to meet our obligations and pay our bills, we must not continue to rely upon such extraordinary measures to make ends meet.--J. RUSSELL JENNINGS

MR. SPEAKER: The vote today is not a choice-the state has an obligation to pay its bills. I will not contribute to default by voting no, however responsible governance begins with the courage to admit we have a problem. Today I vote yes on **H Sub for SB 4**, but I will not support any other temporary fixes that enable magical thinking to triumph over responsible public policy. --MELISSA ROOKER, DIANA DIERKS

MR. SPEAKER: I cast a "yes" vote on **H Sub for SB 4** today with great reservation. This measure is necessary to keep school doors open, public safety officers on the beat, courts open to the public, and to provide other essential public services. However, it reflects neither the realization of rapid economic prosperity nor disciplined and thoughtful spending reductions, both of which were the promised results of fiscal policies instituted in 2012 and revised in 2013. Our current fiscal condition is indicative of a need for greater financial responsibility, honesty about the limits of current policies, and reasonable solutions for the good of all Kansans.-- BLAINE FINCH

MR. SPEAKER: I vote yes on **H Sub for SB 4** because I cannot bear the thought of Kansas not paying our bills. That said, this bill does not come close to alleviating this desperate situation. This bill is tantamount to handing a bottle of vodka to an alcoholic, and this must stop. Members of the Body, it is time for us to go to Taxation Rehab. Kansas cannot continue on this self-destructive path. I've been asked what my solution is, and it is to provide a balanced tax plan that will truly grow the economy.-- STEPHANIE CLAYTON

MR. SPEAKER: This bill presents us with terrible choices. It destabilizes vital governmental programs and increases the financial burden on future legislatures and the Kansans they will represent. As distasteful as these choices may be, our focus must be on what led us to this difficult decision. The overly aggressive tax cut of 2012 has created a structural imbalance which cannot be responsibly corrected with budget cuts alone. I reluctantly vote yes today on **H Sub for SB 4**, but with the resolve that future budget bills must be accompanied by additional revenues to correct that imbalance.-- DON HINEMAN

MR. SPEAKER: My YES vote on **H Sub for SB 4** in no way reflects my support for the reckless economic policy currently in place by this administration. I originally voted NO on this tax plan that is failing to bring the revenue needed for Kansas. My YES vote

today recognizes that bills must be paid, such as the \$56 million dollars still owed to my school district this year. Sound fiscal policy must be put in place in Kansas to prevent further revenue crises.--BARBARA BOLLIER

MR. SPEAKER: Four years ago a consultant told us we were a high tax state on the way to becoming poor. We were advised that if we lowered our income tax we would be a wealthy state! That analysis was flawed and the advice we followed has led to the desperate budget and cash flow situation we face today. A yes vote today signals that our period of denial is finally over! In the coming days we must find hundreds of millions of dollars of real budget cuts and, if necessary, raise revenue. Let's take responsibility and get to work! We vote yes on **H Sub for SB 4**.--DON HILL, SUSIE SWANSON

MR. SPEAKER: I vote Yes on **H Sub for SB 4**. As a common sense Conservative, I feel it is time to step up. Our budget reminds me of a credit card debt that is out of control. It is my feeling that this has been caused by the aggressive income tax bill of 2012. We have put at risk our state, our security, our children, and our future. I will not vote for any other budget bill until the bill of 2012 is re-examined and fixed.--LARRY HIBBARD

MR. SPEAKER: Kansans expect us to be frugal, and responsible. We are enabling irresponsible borrow and spend policies. We should budget wisely, levy appropriate revenues, and insist upon a fair and stable tax system. Additionally we should be looking after the engines of progress to include roads, education, and investments in our future like the biosciences.

The recent tax bills created this imbalance. Without these we would have raised another \$885 million dollars in FY2015. This is almost exactly what is needed to fix the structural imbalance in our state budget. I vote yes on **H Sub for SB 4**.--TOM MOXLEY.

MR. SPEAKER: Due to our self-inflicted budgetary crisis I vote in favor of **H Sub for SB 4** allowing us to meet our looming financial obligations. I feel I have no other viable option.

However, I have strong objection to sacrificing the care, protection and education of our youngest citizens by taking 12 Million Dollars provided to the Children Initiative Fund from the Kansas Endowment for Youth. I so wish we would keep our promises to children. I vote yes on **H Sub for SB 4**.--STEVEN BECKER.

MR. SPEAKER: I vote yes for **H Sub for SB 4** with the primary reason being the serious concerns over the State paying its bills. I am deeply concerned about the transfers from KDOT and the impact it has on road maintenance and future improvement projects. In addition, I am very concerned about the impacts that will be felt in other important services provided to the citizens of Kansas. Our options were limited with today's vote. Now that work begins on the preparation of 2016-17 budget, we must focus on creating a long-term, sustainable solution to correct the shortfall in tax revenue.--TOM PHILLIPS, JIM KELLY.

MR. SPEAKER: Our state is in the situation it is today as a result of gross fiscal mismanagement. Unfortunately, this rescission bill does nothing to address the underlying problems that brought us to this point. It is only a short-term fix to what is a much larger problem. Additionally, the revenue sources drawn on in this bill, stolen from critical programs and services, further hurt our state and its citizens. I vote no on **H Sub for SB 4**. – GAIL FINNEY, TOM BURROUGHS, JOHN WILSON

MR. SPEAKER: This bill presents us with terrible choices. It destabilizes vital governmental programs, increases the financial burden on future legislatures, and leaves inadequate reserves to finish the year. As distasteful as these choices may be, we must focus on what led us to this difficult decision. The overly aggressive tax cut of 2012 has created a structural imbalance which cannot be responsibly corrected with budget cuts alone. I must vote no today, with the resolve that future budget bills must be accompanied by additional revenues to correct that imbalance. I vote no on **H Sub for SB 4**. – TOM SLOAN

MR. SPEAKER: I vote yes on **H Sub for SB 4**. There is nothing about this bill I like. Leadership requires doing the hard thing. We are not and should not be allowed deficit spending. There is no other way to meet our financial obligations. The alternative is to cause greater harm by not paying our bills, not paying school and state employees, not paying businesses that have performed work for the state, and not having state offices open for the people's business. It is now time to develop a budget that pays for our promises of good highways and good schools. – SHANNON FRANCIS

MR. SPEAKER: Legislative research reported yesterday that even with the passage of this bill, the state will still face a budget deficit of \$800,000 at the end of the fiscal year. I cannot in good conscience support a bill that will not cover the existing budget deficit AND does not address the underlying problem which brought our state to this point: an unsustainable and inequitable tax policy. We are diverting funds from critical programs and services to pay the state's bills at the peril of our citizens. I vote no on **H Sub for SB 4**. – SYDNEY CARLIN, CAROLYN BRIDGES

MR. SPEAKER: More than \$1 billion has been transferred from the state highway fund in recent years. This transfer of an additional \$158.5 million from the state highway fund will delay projects and contribute to the denigration of our roads which in turns risks the safety of Kansas drivers. Additionally, the 10-year transportation plan is one of the greatest job creators in our state and it is now at risk. As our state's economy continues to struggle to gain footing, we should be investing in infrastructure, not sweeping funds. I vote no on **H Sub for SB 4**. – JOHN CARMICHAEL

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Todd in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Todd, Committee of the Whole report, as follows, was adopted:  
Recommended that **HB 2064** be passed.

Committee report to **HB 2003** be adopted; also, on motion of Rep. Claeys, be amended on page 2, in line 14, after the second "of" by inserting "the right-of-way of"; and the bill be passed as amended.

Committee report to **HB 2008** be adopted; and the bill be passed as amended.

Committee report to **HB 2048** be adopted; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2100** be amended on page 1, in line 17, by striking "trustee" and inserting "conservator"; following line 19, by inserting the following:

"(c) "Conservator" means a person appointed by the court pursuant to K.S.A. 59-3050 et seq., and amendments thereto.";

On page 2, following line 1, by inserting:

"(g) "Guardian" means a person appointed by the court pursuant to K.S.A. 59-3050 et seq., and amendments thereto.";

And by redesignating remaining subsections accordingly;

On page 5, in line 16, by striking "trustee" and inserting "conservator"; in line 23, by striking "trustee" and inserting "conservator";

On page 6, in line 32, after "plan" by inserting "only after the death of the designated beneficiary"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2040** be amended on page 2, in line 19, before "was", by inserting "(A) Refused to submit and complete any test of blood, breath or urine requested by law enforcement excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto; or

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

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2230**, AN ACT repealing K.S.A. 2014 Supp. 65-6230; relating to the health care compact, , by Representatives Ruiz, Burroughs, Carmichael, Curtis, Highberger, Lane, Ousley, Rooker, Tietze, Victors and Wolfe Moore.

**HB 2231**, AN ACT concerning oil and gas; relating to licensing of well operators, fees; exceptions; amending K.S.A. 2014 Supp. 55-155 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2232**, AN ACT concerning schools; relating to personal financial literacy courses; amending K.S.A. 72-1103 and K.S.A. 2014 Supp. 72-7535 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2233**, AN ACT concerning utilities; relating to electric generating units and carbon dioxide emission standards; concerning the establishment of state performance standards; state corporation commission; secretary of health and environment; amending K.S.A. 2014 Supp. 65-3031 and repealing the existing section, by Committee on Energy and Environment.

**HB 2234**, AN ACT concerning postsecondary institutions; requiring adoption of policies and plans to prohibit employees from using their official title in certain

publications, by Committee on Local Government.

**HB 2235**, AN ACT concerning certain counties; dealing with county treasurers; amending K.S.A. 19-501 and 19-504 and repealing the existing sections, by Committee on Local Government.

**HB 2236**, AN ACT concerning cities; relating to the qualifications and rehabilitation of abandoned property; amending K.S.A. 2014 Supp. 12-1750 and 12-1756a and repealing the existing sections, by Committee on Local Government.

**HB 2237**, AN ACT concerning municipalities; pertaining to using the internet for official publications; amending K.S.A. 12-1651 and 64-101 and repealing the existing section, by Committee on Local Government.

**HB 2238**, AN ACT designating Cowley county the official stone bridge capitol of Kansas, by Committee on Local Government.

**HB 2239**, AN ACT requiring newborn screenings for critical congenital heart disease, by Committee on Judiciary.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolutions were introduced and read by title:

HOUSE RESOLUTION No. **HR 6007**—

By Representative Kuether

**HR 6007**--A RESOLUTION commemorating the 11<sup>th</sup> Anniversary of National Wear Red Day.

WHEREAS, Heart disease is the number one killer of women, yet is often preventable; and

WHEREAS, Cardiovascular diseases cause one in three women's deaths each year, killing approximately one woman every minute; and

WHEREAS, An estimated 43 million women in the United States are affected by cardiovascular diseases; and

WHEREAS, Heart disease kills more women than all forms of cancer combined, but is often undiagnosed; and

WHEREAS, Ninety percent of women have one or more risk factors for developing heart disease, yet only one in five American women believes that heart disease is her greatest health threat; and

WHEREAS, Women comprise only 24% of participants in all heart-related studies; and

WHEREAS, Since 1984, more women than men have died each year from heart disease and the gap between men's and women's survival continues to widen; and

WHEREAS, Women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else was having a heart attack; and

WHEREAS, The American Heart Association's Go Red for Women movement has been impacting the health of women for 11 years. More than 627,000 women's lives have been saved and 330 fewer women are dying every day; and

WHEREAS, In celebration of the 11<sup>th</sup> Anniversary of National Wear Red Day on February 5, 2015, Go Red for Women is asking all women across America to 'Go Red' by wearing red and speaking about awareness. Women can prevent heart disease by: Asking their doctors to check their blood pressure and cholesterol; stopping smoking,

losing weight, exercising and eating healthy; realizing their risk, since heart disease is the cause of one in three female deaths each year; making healthy food choices for themselves and their families and teaching their children the importance of staying active; and by telling every woman they know that heart disease is their number one killer; and

WHEREAS, By increasing awareness, speaking up about cardiovascular disease and empowering women to reduce their risk, thousands of women's lives can be saved each year: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commemorate the 11<sup>th</sup> Anniversary of National Wear Red Day and urge all citizens to show their support for women and the fight against heart disease by wearing the color red.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Kuether.

HOUSE RESOLUTION No. **HR 6008**—

By Representatives Kuether, Alcalá, Corbet, D. Jones, Gonzalez, Hemsley, Highland, Patton and Tietze

**HR 6008**--A RESOLUTION commemorating the 150<sup>th</sup> Anniversary of Washburn University in Topeka, Kansas.

WHEREAS, Washburn University was established by the General Association of Congregational Ministers and Churches of Kansas on February 6, 1865, as Lincoln College to promote the dissemination of knowledge and the advancement of virtue and religion; and

WHEREAS, Washburn University afforded to all classes, without distinction of color or gender, the advantages of a liberal education to fit them for positions of responsibility and usefulness; and

WHEREAS, Classes began on January 3, 1866, with 22 men, including one African-American, and 16 women students; and

WHEREAS, In acknowledgment of a generous gift by Ichabod Washburn of Worcester, Massachusetts, the trustees renamed the school in his honor on November 19, 1868; and

WHEREAS, The University moved to its present location in 1874 with the construction of Rice Hall on 160 acres southwest of town; and

WHEREAS, The Law School began in 1903 and continues to prepare high quality attorneys; and

WHEREAS, Topeka voters approved a property tax to support Washburn University in 1941; and

WHEREAS, Washburn University rose from the debris of a devastating tornado on June 8, 1966; and

WHEREAS, The Schools of Business, Nursing, and Applied Studies were added in 1973, 1974 and 1983, respectively; and

WHEREAS, In 1999, the Legislature authorized conversion from a property tax to a sales tax; and

WHEREAS, Campus was transformed to offer residential experiences with the opening of the Living Learning Center in 2000 and Washburn Villages in 2004; and

WHEREAS, In 2008, Kaw Area Technical School affiliated with the University to

become the Washburn Institute of Technology; and

WHEREAS, Washburn University students hail from all 50 states and 40 countries; and

WHEREAS, Washburn University's athletics program began with baseball in 1879, followed by football in 1891. In 1905, Washburn University's football team played the first game where the forward pass was thrown; and

WHEREAS, Washburn University basketball was first played by women in 1901 and men in 1906. National championships were won in 1925, 1987 and 2005; and

WHEREAS, Graduate Earl Sutherland was recognized as a giant in the field of molecular biology with his 1971 Nobel Prize in Physiology or Medicine; and

WHEREAS, More than 42,000 alumni are proud to call Washburn University their alma mater; whose graduates include clergy, heads of state, leaders of industry, great humanitarians, gifted scientists and attorneys, whose work has improved the quality of life for people worldwide; and

WHEREAS, Shawnee county benefits from more Washburn graduates than any other university graduates; and

WHEREAS, Washburn University's commitment to education has emphasized teaching and learning and working in partnership with various communities to prepare global citizens: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commend and celebrate the 150<sup>th</sup> Anniversary of Washburn University at Topeka. Washburn University provides students of Kansas with incredible educational opportunities, and we urge all Kansans to celebrate its success.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send 25 enrolled copies of this resolution to Representative Kuether.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 5, 2015.



# Journal of the House

## EIGHTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 5, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 118 members present.

Rep. Jennings was excused on legislative business.

Reps. Bridges, Goico, Hedke, Hildabrand, Kelley and Sawyer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
Thank You for yet another day to be used by You  
to hopefully bring about goodwill.  
As these leaders face once again  
many seemingly insurmountable issues to resolve,  
bring to their hearts and minds Your words:  
“Forget the former things;  
do not dwell on the past.  
See, I am doing a new thing!  
Now it springs up;  
do you not perceive it?  
I am making a way in the desert  
and streams in the wasteland.  
Help us all to live in expectancy of this new thing.  
Abba Father,  
Please wrap your arms around Representative Hedke  
and his family in the tragic,  
sudden loss of his wife.  
We don't understand why these things happen.  
But we do know You are in control and  
that You can and will carry them  
through this dark valley.  
I also ask that You be with Representative Hildabrand  
and his family, as his grandfather  
is not doing well and has been placed in hospice.  
It is in Your name and in Your mercy and grace  
I ask these things. Amen.

(Isaiah 43:18-19)

The Pledge of Allegiance was led by Rep. B. Carpenter.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Anthimedes are spread upon the Journal:

In February 2013, the Wichita Police Department implemented a Homeless Outreach Team (HOT) pilot program. According to the annual point in time count for Wichita, Kansas, the chronic homeless population nearly doubled from 2009 to 2011. Like many other cities nationwide, Wichita frequently receives 911 calls regarding people who are experiencing homelessness and panhandling or drinking alcohol in public. As the homeless numbers increased, so did calls for service. Part of the mission of the Wichita Police Department is “improving the quality of life in our community.” And homelessness is a quality of life issue. Therefore, we began attending meetings with local homelessness service providers to develop rapport, build trust, and more importantly learn about the homelessness issues in Wichita.

Through these meetings we realized that by working in partnership with these providers, the Wichita Police Department (WPD) could get many people off of the streets and connected to valuable service programs. There are providers who specialize in outreach for specific populations, but few were all encompassing. In law enforcement, we found that we could be that missing link to help the homeless connect with case managers and/or submit referrals for the Wichita Sedgwick County Housing First Program. We also envisioned offering other services, which could help people experiencing homelessness be successful. These services include, but are not limited to, transportation to shelters or substance treatment centers, case management, assistance with employment, and diverting minor criminal charges away from the courts in lieu of homeless services.

WPD conducted research throughout the nation to find best practices in addressing the issue of homelessness. We found that the Colorado Springs Police Department’s model had won the 2010 Herman Goldstein award for community policing. This department implemented a Homeless Outreach Team in its community, dramatically reducing the homeless population. WPD members attended a training workshop with Colorado Springs officers, brought back what they learned, and in February 2013, the Wichita Police Department’s Homeless Outreach Team pilot program was initiated. WPD’s H.O.T. program has three full-time members and one supervisor - Officers Nathan Schwiethale, Officer Dave Nienstedt, Officer Lisa Berg and Sgt. Brett Stull.

WPD H.O.T. also began the “Finding A Way Home” program, which reunites people experiencing homelessness with family members who are willing to give them housing and offer assistance. To date, HOT has reunited over 100 homeless individuals utilizing this program.

HOT also assists people who are experiencing homelessness obtain employment. Once a person experiencing homelessness becomes housed through the Housing First program, HOT works with him or her to find employment and eventually become self-sufficient. This assistance includes job-readiness programs offered through the City of Wichita, the State of Kansas, and other employment programs. So far, the pilot program has helped over 50 people gain employment. One individual the HOT team helped had

incredible skills in construction. He is now the proud owner/operator of a very successful construction company. After being homeless for 20 years, his dream is now fulfilled.

Working with the Housing First program and other homeless providers has allowed the HOT team to witness tremendous accomplishments. Since February 2013, the Homeless Outreach Team has:

- Helped more than 300 people move from homelessness into permanent or transitional housing
- Reunited more than 100 people experiencing homelessness with family members or friends willing to take them in
- Helped more than 150 people experiencing homelessness obtain shelter
- Made contact with people experiencing homelessness more than 4,000 times.

The success of the WPD HOT program has been featured in numerous articles and news stories. HOT has also bridged the gap between police, the homeless population, and service providers. The three groups are now working together. In 2012, United States Interagency Council on Homelessness called for increased collaboration among law enforcement and behavioral health and social service providers.” In Wichita, we believe we have met the challenge.

The Wichita Police Department has won multiple awards including those from the Wichita Crime Commission, NAMI, The Red Cross, the Veterans Administration and among others. Wichita H.O.T. has been recognized as a best practice by the Federal Government and their United States Interagency Council on Homelessness and hired as a board member to implement their Criminal Justice Sustainable Implementation Guide (CJ SIG) for other police agencies across the nation that wish to implement a Homeless Outreach Team.

Rep. Anthimedes presented each team member with a framed House certificate.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2240**, AN ACT concerning taxation; relating to the board of tax appeals, small claims and expedited hearing division, hearing officers; amending K.S.A. 2014 Supp. 74-2433f and repealing the existing section, by Committee on General Government Budget.

**HB 2241**, AN ACT concerning insurance; relating to property and casualty insurance; pertaining to the unfair trade practice law; prohibiting the cancellation or nonrenewal of policies due to claims arising from natural causes; amending K.S.A. 40-2,122 and K.S.A. 2014 Supp. 40-2404 and repealing the existing sections, by Committee on Insurance.

**HB 2242**, AN ACT regulating traffic; concerning gross weight limits on wheels and axles, exceptions; amending K.S.A. 2014 Supp. 8-1908 and repealing the existing section, by None.

**HB 2243**, AN ACT concerning the Kansas state high school activities association; relating to children of military families, by Committee on Veterans, Military and Homeland Security.

**HB 2244**, AN ACT concerning children and families; enacting the safe families act,

by Committee on Health and Human Services.

**HB 2245**, AN ACT concerning water; relating to the water appropriation act; groundwater; procedure; amending K.S.A. 82a-717a and 82a-725 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2246**, AN ACT concerning municipalities; dealing with payment of claims; amending K.S.A. 2014 Supp. 12-105a and 12-105b and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2247**, AN ACT concerning workers compensation; relating to the department of corrections; coronary or cerebrovascular injury; amending K.S.A. 2014 Supp. 44-501 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2248**, AN ACT concerning economic development; relating to tax increment financing; eligible areas; amending K.S.A. 2014 Supp. 12-1770a and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2249**, AN ACT concerning insurance; relating to transportation network company insurance; enacting the transportation network company driver and passenger protection act; providing definitions, requirements, limitations and policy amounts, by Committee on Insurance.

**HB 2250**, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; providing a cost-of-living adjustment for certain retirants, by Committee on Pensions and Benefits.

**HB 2251**, AN ACT concerning elections; dealing with voting; amending K.S.A. 25-1132 and K.S.A. 2014 Supp. 25-3008 and repealing the existing sections, by Committee on Elections.

## CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2228**, appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Education, should be corrected to be referred to Committee on Veterans, Military and Homeland Security.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2227**, **HB 2231**.

Education: **HB 2232**, **HB 2234**.

Energy and Environment: **HB 2233**.

Federal and State Affairs: **HB 2223**, **HB 2224**.

Health and Human Services: **HB 2225**, **HB 2226**, **HB 2230**, **HB 2239**.

Judiciary: **HB 2221**, **HB 2222**.

Local Government: **HB 2235**, **HB 2236**, **HB 2237**, **HB 2238**.

Transportation: **HB 2229**.

Veterans, Military and Homeland Security: **HB 2228**.

## MESSAGE FROM THE SENATE

Announcing passage of **SB 21**, **SB 23**.

Announcing adoption of **HCR 5002**, as amended.

## INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 21, SB 23.**

## MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Kuether, **HR 6007**, A RESOLUTION commemorating the 11<sup>th</sup> Anniversary of National Wear Red Day, was adopted.

There being no objection, the following remarks of Rep. Kuether are spread upon the Journal:

First of all, I would like to thank you all for showing your support by wearing red!

Heart disease is the number one killer of women – we all have women in our lives who are special – mothers, daughters, sisters, aunts.

So thank you for your support and let us continue the fight to stop this killer and so there's not a need for this reminder every year.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2003**, AN ACT concerning cities; relating to annexation; amending K.S.A. 12-520c and K.S.A. 2014 Supp. 12-520 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Ward, Winn.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.

The bill passed, as amended.

**HB 2008**, AN ACT concerning school district performance audits; amending K.S.A. 2014 Supp. 46-1226 and repealing the existing section; also repealing K.S.A. 2014 Supp. 46-1130 and 46-1132, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not

voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleebe, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.

The bill passed, as amended.

**HB 2048**, AN ACT concerning crimes, punishment and criminal procedure; relating to search warrants; amending K.S.A. 2014 Supp. 22-2502 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleebe, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.

The bill passed, as amended.

**HB 2064**, AN ACT concerning insurance; relating to legal services insurance; amending K.S.A. 40-1102 and 40-4201 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleebl, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, L. Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Goico, Hedke, Hildabrand, Jennings, Kelley, Sawyer.

The bill passed.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Barker, the House nonconcurrent in Senate amendments to **HCR 5002** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Kahrs and Trimmer as conferees on the part of the House.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Elections** recommends **HB 2104** be passed.

Committee on **Insurance** recommends **HB 2066**, **HB 2126** be passed.

Committee on **Judiciary** recommends **HB 2111** be passed.

Committee on **Judiciary** recommends **HB 2101** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2097** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2252**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Armed services occupation medal license plate; amending K.S.A. 2014 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

**HB 2253**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement for certain retirants employed as teachers; extending special provisions; amending K.S.A. 2014 Supp. 74-4937 and repealing the existing section, by Committee on Pensions and Benefits.

**COMMITTEE ASSIGNMENT CHANGE**

Speaker Merrick announced the appointment of Rep. Mast to replace Rep. Hedke on Committee on Education through the end of the day February 5. Rep. Hedke will resume his membership on the committee February 6.

**REPORT ON ENGROSSED BILLS**

**HB 2003, HB 2008, HB 2048** reported correctly engrossed February 4, 2015.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6004** reported correctly enrolled and properly signed on February 5, 2015.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, February 6, 2015.



# Journal of the House

## NINETEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 6, 2015, 8:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 102 members present.

Reps. Bridges and Dannebohm were excused on verified illness.

Reps. Jennings, Johnson, Merrick and Peck were excused on legislative business.

Reps. Ballard, Bollier, Bruchman, Campbell, Edmonds, Goico, Hedke, Hildabrand, Kelley, Ousley, Powell, Rhoades, Ruiz, Sawyer, Schwab, Thompson and Whitmer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Faithful God,  
Thank You for this week and all that has been accomplished.  
Some of it we like; some of it we don't.  
But when it is all said and done,  
hopefully we can all say we did our best.  
As the leaders continue to wrap up business for this week,  
help them to claim the promise that You have given them:  
to not fear nor be dismayed,  
for You will strengthen them,  
You will help them,  
You will uphold them with Your righteous right hand,  
and keep them in perfect peace  
as their minds are steadfast and trusting in You.  
In Your Name I pray, Amen.  
(Isaiah 41:10; 26:3)

The Pledge of Allegiance was led by Rep. Alford.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2254**, AN ACT concerning roofing contractor registration; relating to exemption of certain general contractors; amending K.S.A. 2014 Supp. 50-6,122 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2255**, AN ACT concerning the Kansas department of transportation; relating to

certain revolving funds; transportation projects, communication systems and intermodal transportation; amending K.S.A. 2014 Supp. 75-5067, 75-5068 and 75-5077 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 75-5081, 75-5082, 75-5083, 75-5084, 75-5085, 75-5086 and 75-5087, by Committee on Transportation.

**HB 2256**, AN ACT concerning the commercial real estate broker lien act; relating to conditions, recording and notice of lien; amending K.S.A. 58-30a03, 58-30a07 and 58-30a09 and repealing the existing sections, by Committee on Judiciary.

**HB 2257**, AN ACT concerning school districts; relating to the professional negotiations act; amending K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-5413 and repealing the existing sections, by Committee on Education.

**HB 2258**, AN ACT concerning the Kansas mortgage business act, definitions; amending K.S.A. 2014 Supp. 9-2201 and repealing the existing section, by Committee on Financial Institutions.

**HB 2259**, AN ACT concerning municipality indebtedness reporting; relating to deadlines; amending K.S.A. 10-1007a and repealing the existing section, by Committee on Financial Institutions.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2245**.

Commerce, Labor and Economic Development: **HB 2247, HB 2248**.

Elections: **HB 2251**.

Health and Human Services: **HB 2244**.

Insurance: **HB 2241, HB 2249**.

Judiciary: **SB 23**.

Local Government: **HB 2246**.

Pensions and Benefits: **HB 2250, HB 2253**.

Taxation: **HB 2240**.

Transportation: **HB 2242, HB 2252, SB 21**.

Veterans, Military and Homeland Security: **HB 2243**.

#### MESSAGE FROM THE SENATE

The Senate concurs in House amendments to **House Substitute for SB 4**.

The Senate accedes to the request of the House for a conference on **HCR 5002** and has appointed Senators King, Bruce and Hensley as conferees on the part of the Senate.

#### MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Kuether, **HR 6008**, A RESOLUTION commemorating the 150<sup>th</sup> Anniversary of Washburn University in Topeka, Kansas, was adopted.

There being no objection, the following remarks of Rep. Kuether are spread upon the Journal:

Today, Washburn University celebrates 150 years of providing an education to all people, regardless of ethnicity, gender or income. Founded on February 6, 1865,

Washburn has a rich history centered on the ideal of providing an education to those who sought to improve themselves and the world around them, a vision which continues to endure today.

When it opened, three days into the new year of 1866, it had 38 students, 22 men—one of them African-American – and 16 women. Washburn now has 6,722 students and 1,217 students attending Washburn Institute of Technology. Washburn also has 42,537 living Ichabod alumni, of whom 27,228 live in Kansas.

This year, Washburn will have a Grand Graduation in honor of the sesquicentennial celebration, highlighting the Class of 2015 and 150 years of Washburn's success, the success of its students, its faculty, staff, leaders, friends, and 150 years of dedication to community.

Please join Washburn in celebrating their sesquicentennial as they honor the past and recognize those who have helped move the University forward. Washburn will be celebrating the sesquicentennial until Washburn's Grand Homecoming October 24, 2015.

Rep. Kuether introduced the following guests from Washburn University:

Dr. Jerry B. Farley, Washburn University President; Ms. Pam Trusdale, Vice-Chair, Washburn University Board of Regents; Mr. Bill Sneed, Member, Washburn University Board of Regents; Mrs. Blanche Parks, Member, Washburn University Board of Regents; Dr. Juli Ann Mazachek, Washburn University Foundation President; Mr. Dan Hutchins, Chair, Washburn University Foundation Board of Trustees; Ms. Cynthia Heath, Vice-Chair, Washburn University Foundation Board of Trustees; Ms. Julie Olson, Washburn University Foundation; Dr. Denise Ottinger, Vice-President, Student Life, Washburn University; Dr. Cynthia Hornberger, Special Assistant to the President, Washburn University; Ms. Amanda Hughes, Associate Director of University Relations and Co-Chair of 150<sup>th</sup> Activities, Washburn University; Washburn Student Government President Cassandra White; Washburn Student Government Vice President Randi McAfee; Washburn Student Government Budget Director Blake Porter; Washburn Student Government Marketing Director, Damian Barron; Washburn Student Government Senator Natasha Martinez; Washburn Student Government Senator Malcolm Mikkelsen; Alison Thomas, student; Jamie Dickerson, student; Ernie Webb, photographer; and Peggy Clark, photographer.

## CONSENT CALENDAR

No objection was made to **HB 2101** appearing on the Consent Calendar for the first day.

## REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2022** be amended on page 2, in line 3, by striking "and"; in line 4, after "(3)" by inserting "has not been convicted of a misdemeanor within five years immediately preceding the date of election or appointment; and

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

Committee on **Veterans, Military and Homeland Security** recommends **HB 2006**

be amended on page 2, in line 11, after "facility" by inserting "or public parking lot"; in line 13, after "such" by inserting "public"; also in line 13, after "facility" by inserting "or public parking lot"; in line 17, after "facility" by inserting "or public parking lot";

On page 1, in the title, in line 2, by striking "garages" and inserting "spaces"; and the bill be passed as amended.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 25**, by Representative Ponka-We Victors, congratulating Anita Evans, Sponsor for Royal Valley Native American Singers and Dancers, in recognition for promoting Native American culture and inspiring the youth of the Potawatomi Nation;

**Request No. 26**, by Representative Annie Kuether, congratulating Washburn University and President Jerry Farley in recognition of the university's 150<sup>th</sup> birthday;

**Request No. 27**, by Speaker Ray Merrick, congratulating Charlie Williams in recognition for achievement of Eagle Scout;

**Request No. 28**, by Representative Virgil Peck, Jr, congratulating the Caney Valley High School Girls Golf Team in recognition of winning the 2014 Kansas State Championship, Class 3A-2A-1A;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2260**, AN ACT concerning municipal finance; relating to temporary notes for improvements; amending K.S.A. 10-123 and repealing the existing section, by Committee on Financial Institutions.

**HB 2261**, AN ACT concerning employment security law; relating to determination of benefits; employer classification and rates; amending K.S.A. 2014 Supp. 44-704, 44-710a and 44-757 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2262**, AN ACT concerning the student data privacy act; concerning compliance and penalties for noncompliance; amending K.S.A. 2014 Supp. 72-6220 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2263**, AN ACT concerning taxation; relating to countywide retailers' sales tax; authority for Douglas county; amending K.S.A. 2014 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Taxation.

**HB 2264**, AN ACT concerning property taxation; relating to valuation and taxation of certain oil and gas equipment and materials; amending K.S.A. 79-329 and repealing

the existing section, by Committee on Taxation.

**HB 2265**, AN ACT concerning the unemployment security law; relating to unemployment benefits for privately contracted school bus drivers; amending K.S.A. 2014 Supp. 44-706 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Monday, February 9, 2015.

# Journal of the House

TWENTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 9, 2015, 8:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 79 members present.

Rep. Clark was excused on legislative business.

Reps. Anthimedes, Becker, Bridges, Brunk, B. Carpenter, W. Carpenter, Concannon, DeGraaf, Edmonds, Estes, Finney, Frownfelter, Goico, Hawkins, Hedke, Henderson, Highland, Houston, Hutton, Kelley, Kelly, Kiegerl, Kleeb, Mason, Moxley, Osterman, Pauls, Peck, Phillips, Read, Rhoades, Ruiz, Sawyer, Scapa, Schroeder, Schwartz, Seiwert, Suellentrop, Thimesch, Thompson, Todd, Ward, Whitmer, Williams and Winn were excused on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Bruce L. Emmert, senior pastor, First United Methodist Church of Topeka, and guest of Rep. Tietze:

Lord our God, there is serious work to be done on behalf of the people of Kansas, but it has to wait for another day.

There is a budget to balance, but that will have to wait for another day.

There are roads to be repaired, but that will have to wait for another day.

There are schools to finance, but that will have to wait for another day.

Because Lord, today our hearts are too broken for work. Our grief is too deep. We are worried about our friend and colleague Dennis Hedke. We are grieving the loss of his wife Annette.

We wish we could be with Dennis, Jacob and Reasha right now to show our love and respect – to grieve with those who grieve as the Apostle Paul said.

Lord, pour out your grace and mercy on these men and women who represent we the people of Kansas. Allow them to represent all of the people of Kansas today at the service celebrating the life of Annette Hedke. Protect those who travel to attend the service.

And when they return give them a greater determination to work for the well-being of the people of Kansas. Swell their

hearts with love and grace for all the people. Stoke their souls with the desire to do justice and love mercy. Help them to walk humbly with their God.

But for today Lord, for today receive their grief and comfort them just as we ask that you comfort all of Annette's family.

In the name of our compassionate God. Amen.

The Pledge of Allegiance was led by Rep. Tietze.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2266**, AN ACT concerning postsecondary educational institutions; relating to policies on sexual assault, domestic violence, dating violence and stalking, by Committee on Appropriations.

**HB 2267**, AN ACT concerning alternative project delivery; relating to notice requirements and selection procedure; amending K.S.A. 2014 Supp. 72-6760f, 75-37,143, 75-37,144, 75-37,145, 76-7,131 and 76-7,132 and repealing the existing sections, by Committee on Appropriations.

**HB 2268**, AN ACT authorizing the state historical society to accept conveyance of certain real property on behalf of the state, by Committee on Appropriations.

**HB 2269**, AN ACT concerning debt setoff; dealing with debt setoff for child support and for debts owed under the state debt setoff program; amending K.S.A. 2014 Supp. 75-6204 and repealing the existing section, by Committee on Appropriations.

**HB 2270**, AN ACT concerning medical assistance; relating to KanCare II expansion and the department of health and environment; amending K.S.A. 2014 Supp. 39-709 and repealing the existing section, by Committee on Vision 2020.

**HB 2271**, AN ACT concerning the Kansas standard asset seizure and forfeiture act; relating to offenses giving rise to forfeiture; amending K.S.A. 2014 Supp. 60-4104 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2254**, **HB 2261**, **HB 2265**.

Education: **HB 2257**, **HB 2262**.

Financial Institutions: **HB 2258**, **HB 2259**, **HB 2260**.

Judiciary: **HB 2256**.

Taxation: **HB 2263**, **HB 2264**.

Transportation: **HB 2255**.

## CONSENT CALENDAR

No objection was made to **HB 2101** appearing on the Consent Calendar for the second day.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2050** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2052** be amended

on page 1, by striking all in lines 6 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 3;

On page 5, in line 14, by striking "21-6810 and"; also in line 14, by striking "are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "21-6810 and"; also in line 3, by striking "sections" and inserting "section"; and the bill be passed as amended.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m..

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#### AFTERNOON SESSION

The House met pursuant to recess with Rep. Barker in the chair.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6006** reported correctly enrolled and properly signed on February 9, 2015.

On motion of Rep. Burroughs, the House adjourned until 11:00 a.m., Tuesday, February 10, 2015.



# Journal of the House

## TWENTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 10, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Reps. Goico, Hedke, Kelley and Sawyer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord in Heaven,  
Thank You for this day and the opportunities  
it will bring to each of these leaders.  
Lord, use their hands to do Your work.  
Help their feet to walk in Your way.  
May their eyes see others as you see them.  
Help their tongue to speak Your words.  
Enable their minds to think as You think.  
And may their hearts be like Your heart,  
showing consideration, courtesy,  
compassion and concern.  
In Your Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Hutchins.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Kiegerl are spread upon the Journal:

In early December I attended a Christmas service in an Episcopalian Church in Kansas City which moved me. It was entirely in German and brought back memories of my childhood. A choir of high school students sang the old traditional carols, and I became aware of the German language program at Olathe South High School.

In the early days of the Republic some 230 years ago, there was an election in Pennsylvania to determine what should be the official language of the country. German lost by one vote. Nevertheless, it has played a role in the United States, after all 46

million Americans trace their origin to Deutschland. It was the second language until the mid-twentieth century. In North Dakota it is still widely spoken.

German is a difficult language, with complex grammar and great precision. It was the language of science and many seminal works were first published in German.

Learning a foreign language is rewarding and enriching, it opens an intimate access to new vistas and cultures. Most educated Europeans are multi-lingual. We are remiss in foreign language studies. At least we ought to learn Spanish to better communicate with our neighbors to the south. I took it up at age 60 and I must say "me gusta mucho." The 120 students who chose to learn a much more difficult and challenging language deserve our recognition. I invite you to welcome them and their teacher, Scott Seeger.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

**HB 2272**, AN ACT concerning the Kansas department for children and families; relating to classified and unclassified service; amending K.S.A. 2014 Supp. 75-5310 and repealing the existing section, by Committee on Judiciary.

**HB 2273**, AN ACT regulating traffic; relating to incident management tows; allowing certain counties to require incident management tow permits and operator licenses, by Representative Campbell.

**HB 2274**, AN ACT concerning elections; relating to petitions; concerning recognition of political parties; amending K.S.A. 2014 Supp. 25-302a and 25-3602 and repealing the existing sections, by Committee on Local Government.

**HB 2275**, AN ACT concerning the uniform controlled substances act; relating to substances included in schedules I, II, III and IV; amending K.S.A. 2014 Supp. 65-4105, 65-4107, 65-4109 and 65-4111 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2276**, AN ACT concerning the eminent domain procedure act; amending K.S.A. 26-509 and K.S.A. 2014 Supp. 26-501b and repealing the existing sections, by Committee on Judiciary.

**HB 2277**, AN ACT concerning children and minors; enacting the Kansas child protection registry act, by Committee on Judiciary.

**HB 2278**, AN ACT concerning agriculture; relating to agricultural liming materials; amending K.S.A. 2-2907 and K.S.A. 2014 Supp. 2-2903 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

**HB 2279**, AN ACT concerning agriculture; relating to administrative procedure; division of water resources; fertilizer; amending K.S.A. 2014 Supp. 2-1201b, 2-1201c, 2-1208a and 82a-1901 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 82a-1902, by Committee on Agriculture and Natural Resources.

**HB 2280**, AN ACT concerning the board of nursing; relating to the certified nurse-midwives; amending K.S.A. 2014 Supp. 65-1130 and repealing the existing section, by Committee on Health and Human Services.

**HB 2281**, AN ACT concerning the vision care services act; amending K.S.A. 2014 Supp. 40-5906 and repealing the existing section, by Committee on Health and Human Services.

HOUSE CONCURRENT RESOLUTION No. **HCR 5012**—  
By Committee on Judiciary

**HCR 5012**— A PROPOSITION to amend section 5 of article 3 of the constitution of the state of Kansas; relating to justices of the supreme court and retention in office.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 5 of article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 5. **Selection of justices of the supreme court.** (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file ~~his~~ *such justice's* declaration of candidacy to ~~succeed himself~~ *be retained in office* as hereinafter required, or failure of a justice to be elected to ~~succeed himself~~ *be retained in office*, shall be filled by appointment by the governor, *with the consent of the senate*, of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the ~~supreme court nominating commission established~~ *standing house committee on judiciary, or the successor to such committee*, as hereinafter provided.

(2) *Whenever a vacancy occurs or will occur or a position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the standing house committee on judiciary, or the successor to such committee.*

(~~b~~) (3) In event of the failure of the governor to make the appointment within ~~sixty~~ 60 days from the time the names of the nominees are submitted to ~~him~~ *the* governor, the chief justice of the supreme court shall make the appointment from such nominees, *with the consent of the senate*.

(b) *No person appointed pursuant to subsection (a) shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office from the names submitted to the governor by the standing house committee on judiciary, or the successor to such committee, and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by*

*this subsection, the senate shall be deemed to have given consent to such appointment.*

(c) Each justice of the supreme court appointed pursuant to provisions of subsection (a) ~~of this section and consented to pursuant to subsection (b)~~ shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of ~~twelve~~ 12 months in office. Not less than ~~sixty~~ 60 days prior to the holding of the general election next preceding the expiration of ~~his such justice's~~ term of office, ~~any~~ the justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for ~~election to succeed himself~~ retention in office. If a declaration is not so filed, the position held by such justice shall be open from the expiration of ~~his such justice's~~ term of office. If such declaration is filed, ~~his such justice's~~ name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall \_\_\_\_\_

(Here insert name of justice.)

\_\_\_\_\_

(Here insert the title of the court.)

be retained in office?"

If a majority of those voting on the question vote against retaining ~~him~~ *the justice* in office, the position or office which ~~he~~ *the justice* holds shall be open upon the expiration of ~~his such justice's~~ term of office. Otherwise ~~he~~ *the justice* shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term ~~he~~ *the justice* shall, unless by law ~~he~~ *the justice* is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(d) ~~A nonpartisan nominating commission whose duty it shall be to~~ *The standing house committee on judiciary, or the successor to such committee, shall* nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court ~~is hereby established, and shall be known as the "supreme court nominating commission."~~ *Said commission shall be organized as hereinafter provided.*

(e) ~~The supreme court nominating commission shall be composed as follows: One member, who shall be chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district.~~

(f) ~~The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.~~

(g) ~~No member of the supreme court nominating commission shall, while he is a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission committee may act only by the concurrence of a majority of its members."~~

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to do away with the supreme court nominating commission, assign the commission's duties to the standing house committee on judiciary and make supreme court justice appointments subject to senate confirmation. The standing house committee on judiciary would submit the names of three persons to the governor and the governor would appoint one of such persons. A procedure is established whereby senate confirmation would occur within 60 days of receiving the appointment. If the senate does not confirm the appointment by a majority vote, the governor would then appoint another qualified person from the names submitted to the governor by the standing house committee on judiciary, and such person's appointment would again go to the senate for confirmation. The same appointment and confirmation procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 60 days, it will be considered that the senate has confirmed the appointment.

"A vote for this proposition would change the procedure for selection of justices of the supreme court whereby the standing house committee on judiciary would nominate three persons for the office of justice of the supreme court, the governor would appoint one of such persons and the senate, by majority vote, would confirm the appointment.

"A vote against this proposition would continue in effect the current procedure for selection of justices of the supreme court whereby the supreme court nominating commission nominates three persons for the office of justice of the supreme court and the governor appoints one of such persons."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

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

The following bills were referred to committees as indicated:

Children and Seniors: **HB 2269.**

Commerce, Labor and Economic Development: **HB 2267.**

Corrections and Juvenile Justice: **HB 2271.**

Education: **HB 2266.**

Federal and State Affairs: **HB 2268.**

Health and Human Services: **HB 2270.**

### COMMUNICATIONS FROM STATE OFFICERS

From Barbara J. Hickert, Kansas Long-Term Care Ombudsman, Reaching out for Quality Care, Annual Report for Fiscal Year 2014.

From Jon A. Roberts, Chair, Central Interstate Low-Level Radioactive Waste Commission, in accordance with Article IV.M.2, Annual Report for fiscal year ending June 20, 2014.

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

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Boldra, **HR 6009**, by Reps. Boldra, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Bradford, Bridges, Campbell, Claeyes, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Dannebohm, Davis, Dierks, Doll, Estes, Ewy, Finch, Finney, Gallagher, Goico, Gonzalez, Grosserode, Hedke, Highland, Hildabrand, Hill, Hineman, Hutchins, Jennings, Kahrs, Kelly, Kleeb, Lusk, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Pauls, Powell, Proehl, Read, Rooker, Ryckman, Ryckman, Sr., Schwab, Schwartz, Smith, Suellentrop, Swanson, Thimesch, Todd, Vickrey, Waymaster, Williams, Winn and Wolfe Moore, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6009**—A RESOLUTION designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

WHEREAS, Multiple sclerosis (MS) interrupts the flow of information between the brain and the body and stops people from moving. It is an unpredictable, often disabling disease of the central nervous system, and every hour someone is newly diagnosed in the United States; and

WHEREAS, The Mid America Chapter of the National Multiple Sclerosis Society reports that MS affects an estimated 2.5 million people worldwide, 400,000 nationwide and over 4,600 Kansans; and

WHEREAS, Often first diagnosed in individuals aged 20 to 50, attacking them in the prime of their lives, MS is the most common neurological disease leading to disability in young adults; and

WHEREAS, The symptoms of MS range from numbness and tingling to blindness and paralysis. The progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but advances in research and treatment are moving us closer to a world free of MS; and

WHEREAS, The Mid America Chapter of the National MS Society has been committed to mobilize people throughout Kansas who want to assist those afflicted with MS; and

WHEREAS, "Walk MS" events are scheduled this spring in Kansas City, Hays, Hiawatha, Hutchinson, Lawrence, Manhattan, Neodesha, Salina, Topeka and Wichita; and

WHEREAS, On February 10, 2015, the National MS Society will sponsor MS Awareness Day at the Kansas State Capitol; and

WHEREAS, The mission of the National Multiple Sclerosis Society is to mobilize people and resources to drive research for a cure and to address the challenges of

everyone affected by MS: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we declare February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol to raise awareness for this disease that has no known cause and no known cure. We recognize the importance of moving closer to a world free of multiple sclerosis and express appreciation to the Mid America Chapter of the National MS Society for its work.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send two enrolled copies of this resolution to Representative Boldra.

There being no objection, the following remarks of Rep. Todd are spread upon the Journal:

My mother has Progressive MS. This stands in contrast to the more common form of MS called Relapsing-Remitting MS. It is estimated that between 10-15% of individuals with MS have the Primary-Progressive form of MS. There are no FDA-approved medications for treatment and there is no cure. While I have been around individuals with MS my whole life and have a tremendous amount of sympathy for individuals battling the more common forms of the disease, my mother, sister, and my family have traveled our own path with this disease.

My first memory involving MS was when my mother had an accident. I was a child. We had a coffee table in the living room that had a metal corner. My mother lost her balance and cut her knee. After this accident she started to use a cane. As a young child not fully understanding what was happening, I for a while blamed that small accident for my mothers developing difficulties walking.

But, when her leg healed she didn't get back to walking normal. She moved from a cane to a walker and eventually part time in a wheel chair. She moved to Lawrence. My first memories of the MS Society involved going to a Saturday morning breakfast at Perkins. I got the chance to eat and giant chocolate muffin and afterward we would go over to an arcade in the same shopping area.

I got older, the disease got worse. In high school, my mother had an accident where she fell and broke her femur or hip. I get corrected each time. By this time my mother had developed osteoporosis. As I mentioned previously, there are no medications for Primary MS but it was common to prescribe a steroid to individuals with Relapsing-Remitting MS. If it worked for one form the disease then they were willing to try it on my mom. So, I remember spending nights in the hospital while my mom recovered from her surgery. She helped me practice my lines for a scene in drama.

In every struggle my mother has confronted the obstacles facing her. There has always been a moment of reflection, an acknowledgment of the new struggle, and a commitment to fight. My mother is a fighter of the highest order.

She has inspired me throughout my life. I wouldn't be where I am without her encouragement and powerful example. She is my hero. So, I challenge you to get out, get involved.

Rep. Mason introduced Dr. Jessie Huisinga and Ms. Marcillene Dover to the members of the House. Dr. Huisinga, doing research at the University of Kansas, is currently the principal investigator on grants from the National Multiple Sclerosis Society and from the NIH on studies related to understanding gait and balance deficits

in persons with MS. Ms. Dover, recently diagnosed with MS, attends Wichita State University and is a teaching assistant at Wichita North High School. Upon graduation she would like to be a high school science teacher.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolutions were introduced and read by title:

### HOUSE RESOLUTION No. **HR 6010**—

By Representatives Sloan, Ballard, Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, KleeB, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore

### **HR 6010**--A RESOLUTION honoring former Representative Forrest Swall.

WHEREAS, Forrest Swall, 83, of Lawrence, died December 30, 2014. A former Kansas legislator, he served in the House of Representatives from 1992 to 1994; and

WHEREAS, Forrest Swall was born November 19, 1931, in Ontario, Wisconsin. Forrest spent two years as a vocational agriculture teacher, worked as a juvenile officer in two Missouri counties, taught at the University of Missouri and represented the 45<sup>th</sup> House District of Kansas for one term starting in 1993. From 1969 to 1997, Forrest worked as Assistant Professor Emeritus for the University of Kansas School of Social Welfare; and

WHEREAS, Forrest Swall was known by many for his work in numerous community and civic organizations, including the Douglas County Coalition on Aging, Just Food, the Social Action Justice Team at the Unitarian Fellowship of Lawrence and the Topeka-Lawrence area chapter of PFLAG, which he co-founded. Through these organizations, Forrest advocated for gay rights, food access for the poor and physician-assisted death: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we extend our deepest sympathy to the family and friends of Forrest Swall and thank him for the years of public service he gave to his state and community; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Sloan.



HOUSE RESOLUTION No. **HR 6011**—

By Representatives S. Swanson and E. Davis

**HR 6011**--A RESOLUTION recognizing and celebrating National Donate Life Blue and Green Day on April 17, 2015, and National Donate Life Month in Kansas during April.

WHEREAS, One of the most meaningful gifts that one human being can bestow upon another is the precious gift of life; one that can be given by simply arranging in advance to donate our organs or those of our loved ones upon death; and

WHEREAS, Organ, tissue, eye, bone marrow, stem cell, and cord blood transplantation is one of the greatest medical achievements of our time, but the need for these gifts still far outweighs the number donated each year; and

WHEREAS, In excess of 124,000 American men, women and children are on the National Transplant Waiting List, with more than 2,600 waiting in Kansas and Missouri; and

WHEREAS, One organ donor can save up to eight lives, and one tissue donor can improve the lives of up to 50 other people, yet approximately 21 Americans die each day while waiting for a transplant; and

WHEREAS, Every four minutes, one person is diagnosed with a blood cancer, every 10 minutes someone dies from a blood cancer, and patients are searching for a cure.

WHEREAS, 70% of all patients who need a transplant do not have a matched donor in their family, and a patient's likelihood of finding a matching donor on the Be The Match Registry is estimated to range from 76% to 97%. The donor and cord blood registries can only continue to grow if people sign up to become a member of the registry.

WHEREAS, The heroic and rewarding decision to become a donor and bring hope to those waiting can easily be made by going to YesTheyWantMe.com and by saying, "Yes, I want to be a donor," when signing up or renewing your driver's license; and

WHEREAS, Every day in April, people across the United States celebrate the tremendous generosity of those who gave the precious gift of life and sight through organ, tissue, eye, bone marrow, stem cell, and cord blood donation during National Donate Life Month by encouraging more Americans to register as donors; and

WHEREAS, During National Donate Life Blue and Green Day, the public is encouraged to wear blue and green, hold events, and partner with local media, businesses and community organizations in an effort to bring attention to donation and transplantation: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize and celebrate National Donate Life Blue and Green Day on April 17, 2015, and National Donate Life Month in Kansas during April and urge all Kansans to join us in supporting this humanitarian action of giving the gift of life and sight to our fellow neighbors, residents and citizens.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to Representative S. Swanson and one copy to Donate Life Team Kansas.

### CONSENT CALENDAR

No objection was made to **HB 2101** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2101**, AN ACT concerning trust instruments; relating to mediation or arbitration of disputes, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Hedke, Kelley, Sawyer.

The bill passed.

### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2061** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Agriculture and Natural Resources** recommends **HB 2030** be amended on page 3, in line 5, before "maintaining" by inserting "collecting, accumulating, amassing or";

On page 13, in line 5, before the comma by inserting "and pet shops"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2074** be passed.

Committee on **Federal and State Affairs** recommends **HB 2087** be amended on page 1, in line 8, after "governing" by inserting "the requirement of fees, licenses or permits for, "; in line 28, by striking "or"; in line 31, after "duties" by inserting "; or

(4) prohibit a city or county from levying and collecting any retailers' sales tax on the sale of firearms, ammunition or any component or combination thereof as authorized by K.S.A. 12-189, and amendments thereto"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

**HB 2282**, AN ACT concerning hemp preparation treatments for seizure disorders; establishing registration of patients and preparation centers; protecting from arrest, prosecution or discrimination for authorized use, by Committee on Health and Human Services.

**HB 2283**, AN ACT concerning sales taxation; relating to exemptions, farm products sold at farmers' markets; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Representative Henry.

**HB 2284**, AN ACT concerning sales taxation; relating to exemptions, Highland pride, inc.; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Representative Henry.

**HB 2285**, AN ACT concerning the legislature; relating to legislative documents; establishing the Kansas legislature paper-free task force; specifying members and powers and duties, by Committee on Veterans, Military and Homeland Security.

**HB 2286**, AN ACT regulating traffic; relating to transportation network companies, transportation network company services, regulation, by Committee on Taxation.

**HB 2287**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; investment standards; prohibited investments, Iran; divestment therefrom, conditions and procedures; indemnification and hold harmless provisions, by Committee on Taxation.

**HB 2288**, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; relating to member election; eligible employer affiliation; interest credits; account distribution, by Committee on Pensions and Benefits.

**HB 2289**, AN ACT concerning driving; related to driving under the influence of alcohol or drugs; test refusal or failure; suspension of license; administrative hearing; procedure; amending K.S.A. 2014 Supp. 8-1002 and 8-1020 and repealing the existing sections, by Committee on Judiciary.

**HB 2290**, AN ACT concerning the care and treatment act for mentally ill persons; relating to 24-hour crisis centers; amending K.S.A. 2014 Supp. 59-2946 and repealing the existing section, by Committee on Judiciary.

**HB 2291**, AN ACT concerning charitable gaming; establishing the charitable gaming act; amending K.S.A. 2014 Supp. 79-3603 and repealing the existing section; also repealing K.S.A. 79-4702 and 79-4715 and K.S.A. 2014 Supp. 79-4701, 79-4701a, 79-4703, 79-4704, 79-4705, 79-4705a, 79-4706, 79-4707, 79-4708, 79-4710, 79-4711, 79-4712a, 79-4713, 79-4716, 79-4717, 79-4718 and 79-4719, by Committee on Federal and State Affairs.

**HB 2292**, AN ACT concerning schools; enacting the local control of Kansas education act; relating to the student data privacy act; amending K.S.A. 2014 Supp. 72-6216, 72-6217 and 72-6439 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2293**, AN ACT concerning wildlife; relating to dangerous regulated animals;

pertaining to the sale, slaughter and acquisition of such animals; amending K.S.A. 2014 Supp. 32-1301, 32-1302, 32-1303, 32-1304, 32-1305, 32-1306, 32-1307, 32-1308 and 32-1310 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 32-1309, by Committee on Federal and State Affairs.

**HB 2294**, AN ACT concerning immigration; requiring the use of e-verify by certain employers; amending K.S.A. 2014 Supp. 79-32,117 and 79-32,138 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2295**, AN ACT concerning the regulation of bingo; amending K.S.A. 2014 Supp. 79-4706 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2296**, AN ACT concerning public building commissions; amending K.S.A. 12-1761 and 12-1767b and repealing the existing sections; also repealing K.S.A. 12-1767, by Committee on Federal and State Affairs.

**HB 2297**, AN ACT concerning automobiles; relating to decals for certain military medals or badges; Vietnam service medal; amending K.S.A. 2014 Supp. 8-1,156 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2298**, AN ACT concerning economic development; relating to rural opportunity zones; amending K.S.A. 2014 Supp. 74-50,223 and 79-32,267 and repealing the existing sections, by Committee on Taxation.

HOUSE CONCURRENT RESOLUTION No. **HCR 5013**—  
By Committee on Judiciary

**HCR 5013**--A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

**"Article 3.—JUDICIAL**

**"§ 1. Judicial power; seals; rules.** The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

**"§ 2. Supreme court.** The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in

continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

**"§ 3. Jurisdiction and terms.** The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

**"§ 4. Reporter; clerk.** There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices two years, and whose duties shall be prescribed by law.

**"§ 5. Selection of justices of the supreme court.** (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file such justice's declaration of candidacy to be retained in office as hereinafter required, or failure of a justice to be elected to be retained in office, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(2) Whenever a vacancy occurs, will occur or position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees.

(4) Whenever a vacancy in the office of justice of the supreme court exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) (1) Each justice of the supreme court appointed pursuant to subsection (a) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of such justice's term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for election to be retained in office. If a declaration is not so filed, the position held by such justice shall be open from the expiration of such justice's term of office. If such declaration is filed, such justice's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall (Here insert name of justice.), Justice of the Supreme Court, be retained in office?"

(3) If a majority of those voting on the question vote against retaining such justice in office, the position or office which such justice holds shall be open upon the expiration of such justice's term of office; otherwise such justice shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term such justice shall, unless

by law such justice is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the justice's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such justice who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of justice of the supreme court prior to the expiration of six years after the expiration of the justice's term of office.

(d) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court and any judge of the court of appeals is hereby established, and shall be known as the "supreme court nominating commission." The commission shall be organized as hereinafter provided.

(e) The supreme court nominating commission shall be composed as follows:

(1) One member from each congressional district who is an attorney, chosen from among their number by the resident members of the bar in each such district;

(2) five members appointed by the governor as follows: One member from each congressional district; and one member from the state as a whole who shall serve as the non-voting chairperson of the commission; and

(3) six members appointed by the legislature as follows: Two by the president of the senate; two by the speaker of the house of representatives; one by the minority leader of the senate; and one by the minority leader of the house of representatives.

(f) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

(g) No member of the supreme court nominating commission shall, while a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court or judge of the court of appeals. The commission may act only by the concurrence of a majority of its members.

**"§ 6. Court of appeals.** (a) (1) The court of appeals shall consist of not less than 14 judges. Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established by section 5 of this article.

(2) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees.

(4) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made

pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) (1) Each judge of the court of appeals appointed pursuant to subsection (a) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of such judge's term of office, any judge of the court of appeals may file in the office of the secretary of state a declaration of candidacy for election to be retained in office. If a declaration is not so filed, the position held by such judge shall be open from the expiration of such judge's term of office. If such declaration is filed, such judge's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall (Here insert name of judge.), Judge of the Court of Appeals, be retained in office?"

(3) If a majority of those voting on the question vote against retaining such judge in office, the position or office which such judge holds shall be open upon the expiration of such judge's term of office; otherwise such judge shall, unless removed for cause, remain in office for the regular term of four years from the second Monday in January following such election. At the expiration of each term such judge shall, unless by law such judge is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the judge's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such judge who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of judge of the court of appeals prior to the expiration of four years after the expiration of the judge's term of office.

(c) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

(d) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

**"§ 7. District courts.** (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.



- (c) The legislature shall provide for clerks of the district courts.
- (d) Provision may be made by law for judges pro tem of the district court.
- (e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.
- (f) The supreme court may assign a district judge to serve temporarily on the supreme court.
- (g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

**"§ 8. Qualifications of justices and judges.** Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

**"§ 9. Prohibition of political activity by justices and certain judges.** No justice of the supreme court who is appointed or retained under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed or retained under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

**"§ 10. Extension of terms until successor qualified.** All judicial officers shall hold their offices until their successors shall have qualified.

**"§ 11. Compensation of justices and judges; certain limitation.** The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States, except as may be provided by law, or practice law during their continuance in office.

**"§ 12. Removal of justices and judges.** Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

**"§ 13. Savings clause.** Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; or (b) repeal any statute of this state relating to the supreme



court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to place the law concerning the court of appeals into the constitution and to change the membership of the supreme court nominating commission. This amendment would continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons. Commission membership would change to: Four attorney members, one attorney selected from each congressional district by the resident members of the bar in each such district; five members appointed by the governor as follows: One member from each congressional district; and one member from the state as a whole who shall serve as the non-voting chairperson of the commission; and six members appointed by the legislature as follows: Two by the president of the senate; two by the speaker of the house of representatives; one by the minority leader of the senate; and one by the minority leader of the house of representatives.

"A vote for this proposition would place the law concerning the court of appeals into the constitution and continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons. Commission membership would change to: Four attorney members, one attorney selected from each congressional district by the resident members of the bar in each such district; five members appointed by the governor, one member from each congressional district and one member from the state as a whole who shall serve as the non-voting chairperson of the commission; and six members appointed by the legislature.

"A vote against this proposition would leave the law concerning the court of appeals in the Kansas statutes and continue in effect the current system in which judges of the court of appeals are appointed by the governor, with the consent of the senate. It would also continue in effect the current constitutional provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons. Commission membership would remain: One member, who shall be chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the

special election.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6012**—

By Representatives Todd and Merrick

**HR 6012**--A RESOLUTION endorsing the twenty-sixth anniversary of sister state relations with the Republic of China (Taiwan), Taiwan's participation in the Trans-Pacific Partnership (TPP) and the United Nations Framework Convention on Climate Change (UNFCCC) and Taiwan's participation as an observer in the International Civil Aviation Organization (ICAO).

WHEREAS, On November 14, 1989, the State of Kansas and the Republic of China (Taiwan) entered into a sister state relationship of enduring friendship and international cooperation; and

WHEREAS, Over the past twenty-six years, the bonds of true friendship and steadfast trade partnership between Kansas and Taiwan have been strengthened, resulting in tourism and a strong economic, social and cultural exchange; and

WHEREAS, Every other year, Taiwan has sent an agricultural trade goodwill mission to the U.S. Midwest region, including Kansas, to demonstrate Taiwan's continuing goodwill and willingness to purchase Kansas agricultural products. The Kansas agricultural industry has benefited greatly over the past decades from the sale of beef, wheat and corn to Taiwan; and

WHEREAS, Kansas and Taiwan have enjoyed a long and mutually beneficial relationship and anticipate continuing growth. Taiwan ranks as Kansas' 12<sup>th</sup> largest export destination with \$194.5 million worth of Kansas goods shipped to Taiwan; and

WHEREAS, The United States ranks as Taiwan's third largest trading partner. Taiwan is the tenth largest trading partner of the United States with bilateral trade reaching \$63.6 billion; and

WHEREAS, The Trade and Investment Framework Agreement (TIFA) meeting between the United States and Taiwan is laying the groundwork for a Bilateral Investment Agreement (BIA). Negotiation for a BIA is an important step toward further strengthening bilateral trade and paving the way for entering into a free trade agreement between the United States and Taiwan, thereby increasing the exports of Kansas to Taiwan and creating bilateral investment through tariff reduction and other trade facilitation measures; and

WHEREAS, Taiwan, seeking to contribute to greater regional integration in the Asia-Pacific region and promote bilateral investment and trade relations with the United States, applauds the United States' announcement of its intent not only to join the Trans-Pacific Partnership (TPP), but to expand TPP membership in the future to include other countries, such as the Republic of China (Taiwan); and

WHEREAS, Taiwan's inclusion in the TPP would contribute substantially to the depth, viability, and quality of the TPP. Taiwan's strong economic weight in the Asia-Pacific and the world, its well-developed knowledge base and highly skilled workforce, its vital position along regional supply chains and value chains and the positive

economic and strategic gains for all make Taiwan an ideal candidate economy for the TPP's expansion; and

WHEREAS, Taiwan's absence from the United Nations Framework Convention on Climate Change has hampered Taiwan's ability to participate in global climate initiatives and respond to natural disasters. Taiwan can be a valuable and constructive partner in the international response to the adverse effects of climate change and severe weather emergencies, as evidenced by Taiwan's speedy and generous response to aid the victims of Typhoon Haiyan in the Philippines, which included donations of approximately \$12.22 million; and

WHEREAS, The development of international civil aviation in a safe and orderly manner is the supreme cause of the International Civil Aviation Organization (ICAO). The ICAO depends to a great extent on multilateral cooperation to achieve the goals of safety, order and sustainable development; and

WHEREAS, Taiwan is an integral part of the global aviation network. With an excellent geographic location, Taiwan is a key aviation hub for regions in Asia and the world; and

WHEREAS, Taiwan Taoyuan International Airport is ranked 16<sup>th</sup> globally in international passenger traffic by the Airports Council International (ACI), and 58 domestic and foreign airlines connect Taiwan with 117 cities across the world. The Taipei Flight Information Region (FIR) each year provides more than 1.3 million navigation services to aircraft carrying 45 million passengers and over 1.68 million tons of cargo. The large volume of cargo and passenger traffic make Taiwan an important part of the global air transport network; and

WHEREAS, Without Taiwan's participation, international flight plans, regulations and procedures that the ICAO formulates will be incomplete and unsafe; and

WHEREAS, Taiwan's request to participate in the ICAO is fully in line with the United States government's policy of supporting Taiwan's meaningful participation in United Nations specialized agencies: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:*

(1) That Kansas is celebrating the twenty-sixth anniversary of sister state relations with the Republic of China (Taiwan); and

(2) Kansas supports Taiwan's efforts to secure entry into the Trans-Pacific Partnership (TPP), and endorses the signing of the Bilateral Investment Agreement (BIA) with the United States; and

(3) Kansas supports Taiwan's appropriate participation in the United Nations Framework Convention on Climate Change (UNFCCC) and endorses Taiwan's participation as an observer in the International Civil Aviation Organization (ICAO).

*Be it further resolved:* That copies of this resolution are sent to the United States Secretary of State, John F. Kerry, President Ma Ying-jeou of the Republic of China (Taiwan), Secretary General Raymond Benjamin of the International Civil Aviation Organization, Executive Secretary Christiana Figueres of the United Nations Framework Convention on Climate Change, each member of the Kansas Congressional Delegation and Director General Jack J.C. Yang of the Taipei Economic and Cultural Office.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Kahrs to replace Rep. Hedke on Committee on Education. This temporary appointment will expire at the end of the day, February 10 and Rep. Hedke will resume membership on the committee tomorrow.

Also, Rep. Ruiz is appointed to replace Rep. Sawyer on Committee on Taxation for February 10 through February 13.

Also, Rep. Burroughs is appointed to replace Rep. Sawyer on Committee on Elections on Wednesday, February 11.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6007, HR 6008** reported correctly enrolled and properly signed on February 10, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 11, 2015.

# Journal of the House

## TWENTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 11, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Goico, Hedke and Sawyer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
Thank you for once again for this day  
and the opportunity to come before You  
to pray for these leaders and the decisions  
that are to be made.  
Your Word declares that we can come to You,  
the source of wisdom, for wisdom.  
I ask that You give these leaders not only the wisdom of humanity,  
but the wisdom of God.  
I pray that You will instruct them and teach them  
in the way they should go.  
Direct their steps, and let their ears  
be inclined to hear Your voice.  
Help them to be quick to hear and listen,  
slow to speak and slow to anger.  
Let their words speak Your truth with wisdom,  
but in simplicity so that all may understand and benefit by them.  
Thank You for Your faithfulness in helping each one.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Rooker.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Schroeder are spread upon the Journal:

The aspiration to pursue the Miss Rodeo Kansas crown came during Abbey's reign as

Miss Rodeo K-State 2012 and during her time as a college rodeo competitor. She became deeply immersed in a community where the qualities of independence, responsibility and camaraderie were cornerstones. She desired to be a giving part, an ambassador of and for that same community.

The daughter of Jerry and Dixie Pomeroy, she and her three siblings, Jason, Michelle, and Emily, were raised on a farm near Hesston, Kansas. Abbey is a Proud Wildcat and graduated from Kansas State University with a degree in Interior Design. In addition to being part of the rodeo club and competing on the rodeo team, she served as President of the Student Design Group and served as their community wide Fair Trade Marketplace coordinator. She was an active member of the cooperative living house, Alpha of Clovia. Abbey was also a member of her local 4-H Club. When Abbey's not on horseback you are likely to find her creating leather creations or with close friends, rock climbing, canyoneering and exploring the outdoors.

In addition to capturing the Miss Rodeo Kansas title, Abbey earned the Horsemanship, Speech and Modeling awards. As the First Lady of Rodeo for the great state of Kansas, Abbey will travel the state and country promoting the sport and the western way of life. Her reign will conclude in December as she represents the Sunflower State at the Miss Rodeo America Pageant in Las Vegas, Nevada during the Wrangler National Finals Rodeo.

Rep. Schroeder presented Abbey with a framed House certificate.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Todd are spread upon the Journal:

The Republic of China, Taiwan, has long been a strong ally and trade partner of the United States, and of Kansas. Twenty-six years ago Taiwan and Kansas entered into a sister state relationship and I am here to honor that relationship.

Let me highlight some important information about this relationship:

- Taiwan is the 17<sup>th</sup> largest economy in the world
- Taiwan is the United States 10<sup>th</sup> largest trade partner
- The United States is Taiwan's 3<sup>rd</sup> largest trading partner
- Taiwan is Kansas' 12<sup>th</sup> largest trading destination
- Kansas exports \$194.5 million in goods to Taiwan

We can do more.

I had the opportunity to travel to Taiwan as part of a delegation of legislators from the Midwest this last summer. It is a dynamic nation with a striving economy. But, because of it's size and terrain, Taiwan can not produce all of the food that it's population requires. Kansas is an important food source for the nation.

We are also an important source of agricultural research. I had the opportunity to speak with members of agricultural trade groups in Taiwan and they routinely seek out information and consultation from individuals at our own Kansas State University, which is seen as one of the leading agricultural research institutions in the world.

Kansas also has a strong tie to Taiwan with Garmin because the largest subsidiary

and main production facility is located in New Taipei City in Taiwan.

I want to welcome Director-General J.C. Yang, from the Taiwan Consulate in Kansas City. He has served his country for 36 years seeking to improve their economic relations around the world.

Please join me in honoring our guest and calling for our governments to strengthen the friendship and economic cooperation between our countries and our people.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2299**, AN ACT concerning workplace safety; directing the secretary of labor to enter into an agreement regarding state enforcement of federal occupational safety and health act standards, by Committee on Appropriations.

**HB 2300**, AN ACT concerning the open records act; relating to public records and personal electronic devices; amending K.S.A. 2014 Supp. 45-217 and repealing the existing section, by Committee on Judiciary.

**HB 2301**, AN ACT concerning the legislature; relating to the committee on judiciary of the house of representatives; powers and functions of the legislative coordinating council; amending K.S.A. 46-1202 and repealing the existing section, by Committee on Judiciary.

**HB 2302**, AN ACT concerning financial institutions; enacting the Kansas right to financial privacy act, by Committee on Judiciary.

**HB 2303**, AN ACT concerning the department of health and environment; relating to water and soil pollution; amending K.S.A. 2014 Supp. 65-171d and repealing the existing section, by Committee on Appropriations.

**HB 2304**, AN ACT concerning the department of health and environment; creating the local conservation lending program, by Committee on Appropriations.

**HB 2305**, AN ACT concerning the Kansas veterinary practice act; relating to licensure; providing for an institutional license to practice veterinary medicine; amending K.S.A. 47-815, 47-817 and 47-829 and K.S.A. 2014 Supp. 47-822 and 47-830 and repealing the existing sections, by Committee on Appropriations.

**HB 2306**, AN ACT concerning taxation; relating to rates of taxation; cigarettes, tobacco products and alcoholic beverages; amending K.S.A. 79-3371 and 79-3378 and K.S.A. 2014 Supp. 79-3310, 79-3310c, 79-3311, 79-3312 and 79-4101 and repealing the existing sections, by Committee on Taxation.

**HB 2307**, AN ACT concerning state finances; relating to state general fund tax receipts and expenditures; providing a tax amnesty; creating a budget stabilization fund and tax reduction fund; ending balances; income tax rates, itemized deductions; reports to the legislature; amending K.S.A. 75-3722 and 75-6704 and K.S.A. 2014 Supp. 75-3721, 75-6702, 79-32,110, 79-32,120 and 79-32,269 and repealing the existing sections, by Committee on Taxation.

**HB 2308**, AN ACT concerning sales taxation; relating to exemptions of certain machinery and equipment used in automated ice vending machines; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2309**, AN ACT concerning sales taxation; relating to exemptions, rotary club of Leawood, Kansas charitable fund, inc.; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2310**, AN ACT concerning agriculture; relating to chemigation; permit

exceptions; amending K.S.A. 2014 Supp. 2-3304 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2311**, AN ACT concerning firearms; creating the Kansas firearms industry nondiscrimination act, by Committee on Federal and State Affairs.

**HB 2312**, AN ACT concerning gaming; amending K.S.A. 74-8836 and K.S.A. 2014 Supp. 74-8744, 74-8746, 74-8747 and 74-8751 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2313**, AN ACT concerning crimes, punishment and criminal procedure; relating to assault; battery; unlawful interference with a firefighter; unlawful interference with an emergency medical services attendant; creating the crime of unlawful interference with a health care provider; amending K.S.A. 2014 Supp. 21-5412, 21-5413, 21-6325 and 21-6326 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2314**, AN ACT repealing K.S.A. 2014 Supp. 16-2001, 16-2002, 16-2003, 16-2004 and 16-2005; concerning certain labor agreements for public works construction projects; relating to prohibiting agencies and municipalities from requiring contractors to make such agreements, by Representatives Burroughs, Ballard, Carlin, Carmichael, Curtis, Gallagher, Highberger, Kuether, Ousley, Ruiz, Whipple and Wolfe Moore.

#### **CORRECTION OF REFERENCE**

Speaker Merrick announced **HB 2286**, appearing on the calendar as being referred to Committee on Transportation, should be referred to Committee on Insurance.

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

The following bills and resolutions were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2278**, **HB 2279**, **HB 2293**.

Corrections and Juvenile Justice: **HB 2275**.

Education: **HB 2292**.

Elections: **HB 2274**.

Federal and State Affairs: **HB 2291**, **HB 2294**, **HB 2295**.

Health and Human Services: **HB 2281**, **HB 2282**.

Insurance: **HB 2286**.

Judiciary: **HB 2272**, **HB 2276**, **HB 2277**, **HB 2289**, **HB 2290**, **HCR 5012**, **HCR 5013**.

Local Government: **HB 2273**, **HB 2296**.

Pensions and Benefits: **HB 2287**, **HB 2288**.

Taxation: **HB 2280**, **HB 2283**, **HB 2284**, **HB 2298**.

Transportation: **HB 2297**.

Vision 2020: **HB 2285**.

#### **MESSAGES FROM THE GOVERNOR**

February 10, 2015

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 15-01 for your information.



EXECUTIVE ORDER NO. 15-01  
Rescinding Certain Executive Orders

SAM BROWNBACK  
*Governor*

February 10, 2015

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 15-02 for your information.

EXECUTIVE ORDER NO. 15-02

Employment practices for veterans and disabled individuals

SAM BROWNBACK  
*Governor*

The above Executive Orders are on file and open for inspection in the office of the Chief Clerk.

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Sloan, **HR 6010**, A RESOLUTION honoring former Representative Forrest Swall., was adopted.

There being no objection, the following remarks of Rep. Sloan are spread upon the Journal:

Relatively few Kansans are elected by their neighbors to serve in the Kansas Legislature. Whether we knew them or not, the passing of a legislative colleague should be noted. Former Representative Forrest Swall served the people of Douglas County and Kansas for one term. He was a compassionate and gentle man with a lifelong commitment as an educator, legislator, and citizen to providing people the encouragement, education, and counsel necessary to succeed. He recognized all people as being equal, regardless of their gender, age, race, religion, or preferences. Please join me in honoring a former member of our Legislative Chamber.

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Davis, **HR 6011**, A RESOLUTION recognizing and celebrating National Donate Life Blue and Green Day on April 17, 2015, and National Donate Life Month in Kansas during April, was adopted.

There being no objection, the following remarks of Reps. Swanson and Davis are spread upon the Journal.

Remarks by Rep. Swanson:

Thank you for the opportunity to share my story about organ donation with you

today.

Three years ago, our neighbor's son, Mike, was in desperate need of a kidney transplant. In 1987, when he was in his mid twenties, both Mike and his twin brother, Steve, were diagnosed with a degenerative kidney disease. Steve was the first to be diagnosed and his mother, Carol, donated a kidney to her son. Steve died of cancer in 2007. Mike had two transplants, one in 1994 which was unsuccessful and another in 2004. Both kidneys were from deceased donors. Two-and-a-half-years later, his new kidney was attacked by a virus which caused it to fail and he had to have the kidney removed. He was, once again, on dialysis. In June of 2011, Mike's condition had become so fragile that it appeared he might not live without a transplant soon.

Even though I was a proponent of deceased organ donation and had signed up with the DMV to be an organ donor, being a living donor was a different matter. The idea had entered my mind but I promptly dismissed it because I was paralyzed with fear at the notion of surgery. I could barely have blood drawn without fainting let alone volunteer to donate an organ.

Through a friend of Mike's nephrologist, he heard about Johns Hopkins incompatible donor program. It is called the Paired Donor Kidney Exchange Program. The program, also called a "kidney swap," is an option for those waiting for a kidney transplant. It is for patients who have a willing, living donor whose kidney is incompatible, usually because of differing blood types or incompatible tissue types. The program helps incompatible pairs find other incompatible pairs who wish to exchange donors. The exchange can involve two or more incompatible pairs. Matches are made using data bases from JHH and the Organ Procurement and Transplantation Network.

Mike needed a living donor who was willing to donate for him, in order to participate in the program. Once his condition became so critical, and I realized that Jim and Carol might lose another son, my fear somehow disappeared and I made the decision to donate a kidney for Mike. His mother, Carol, helped me start the process of becoming a living donor. Early in the evaluation process, which began with a series of blood tests to determine compatibility as well as the general health of the donor, Carol informed me that a friend of Mike's had also volunteered to donate and she was ahead of me in the evaluation process. Even though Mike had a donor, I decided I would continue with the evaluation process in case something unforeseen happened and his friend would not be able to follow through with the donation. I wanted to be a back up. If I was not needed for Mike, then I wanted to donate to anyone who needed a kidney. I didn't actually know Mike. He lived with his wife and two children in Liberal, KS. If I could give to Mike, who I didn't know, I was sure there were other families with the same heart-wrenching stories.

My initial lab work was done in early June and again in August in Clay Center at our local hospital. In November of 2011, my husband and I flew to Baltimore, Maryland and I completed the third phase of the evaluation which included physician and nursing consults and additional testing. Southwest Airlines for supplying us with travel vouchers for the trip.

On February 14, 2012, Mike received his transplant. In early March, his team of doctors determined that the transplant was successful and I was contacted by John's Hopkins asking if I wanted to proceed as a non-directed donor. When connected with existing incompatible donor/recipient pairs, non-directed donors start a domino effect of kidney donations. Because I have a rare blood type, it took five months to

find a compatible recipient. The recipient was identified in Aug. 2012 and surgery was scheduled for Oct. 23, 2012.

Again, Southwest Airlines provided my husband and I with vouchers and we flew to Baltimore on Oct. 21. The day of surgery, my kidney was transplanted into Cassie, a woman in her early forties, and her husband, Tom's kidney was given to Eric, a 30 year-old-man. Eric's mother was waiting for a compatible recipient to be located and she would then donate and the chain could continue on. Prior to leaving the hospital, I was able to meet Cassie and her husband and her mother and Eric. That was an amazing and heartwarming experience.

The surgery was laparoscopic. I was in the hospital two days and remained in Baltimore for another week. After a clinic visit and a good report, we returned home on Nov.1. Recovery took about two to three weeks. I resumed all my normal activities and have maintained excellent health since that time. Obviously there are risks involved in any surgery and giving a kidney means that, should something happen to my remaining kidney, I no longer have a back up. That was a risk, I believed, was worth taking and I have had no second thoughts

Transplants are a humbling and life changing experience for so many. Employers have healthy employees once again, donors and their families are impacted in positive ways and most importantly, recipients and their families have a whole new life. Whatever can be done to promote organ and tissue donation both deceased and living, is well worth the investment of time and money. It means lives saved.

Thank you for allowing me to share my story.

Remarks by Rep. Davis:

On January 5, 2000, my brother welcomed a baby boy and named him Dakota. Our family was overjoyed by Dakota's arrival; however, the joy of Dakota's birth was soon overshadowed by the terrifying news that Dakota was very ill. Soon after Dakota's birth, the delivery nurses noticed that Dakota was covered with bruises and petechiae, which are little red pin dots. Preliminary tests were run and it was determined that Dakota's platelet levels were gravely low and his blood was unable to clot. Dakota was rushed to KU Med Center where he spent the next six weeks in the Neo Natal Intensive Care Unit. During his stay, the doctors ran many tests to determine the cause of his low platelets. Dakota received platelet transfusions every five to six days and was eventually sent home as besides the puzzling platelet condition, Dakota was a healthy baby.

Dakota continued to receive platelet transfusions every five to seven days for two years. After moving to North Carolina and receiving care from Duke University Hospital, it was determined that Dakota's condition was called Myelodysplastic syndrome, which is a disorder that affects the blood and bone marrow. We learned the cure for Myelodysplastic syndromes was a bone marrow transplant. Hearing this news, our entire family decided to be tested to see if we were a match. Unfortunately, none of our family was a match. However, Dakota was eventually matched with a cord blood donor and in the fall of 2002, Dakota began the arduous process of preparing for the transplant.

Because of the generosity of cord blood donation, my nephew, Dakota, is a healthy 15 year old and a freshman at Olathe Northwest. He has yearly check-ups at Duke

University hospital and I'm happy to say, there is no sign of the MDS reoccurring.

With Dakota's successful transplant behind us, I had almost forgotten that in being tested to see if I was a match for Dakota, I was also placed on the National Marrow Donor list. To my surprise in the fall of 2008, I received a phone call telling me that I was a preliminary match for a 15 year old boy who suffered from leukemia. They asked if I would still consider donating bone marrow or stem cells. Unsure of what all that entailed but keenly aware that someone else's generosity saved my nephew's life, I said yes and began a two-month process of blood tests, medical exams, EKG's. Finally, it was determined that not only was I a good match for this young man, I was a nearly perfect match.

In January of 2009, as I prepared to donate bone marrow or stem cells, I began receiving daily injections of a drug that would increase the number of stem cells my body produced. On February 1, 2009, I headed to Denver for the donation, which only took about six hours. Aside from occasionally achy knees, which were a result of the injections, I felt totally normal after the donation. In fact, when the National Marrow nurse called to check up on me, I remember commenting how anticlimactic the entire donation process was for me.

For the 15 year old boy and his family, I know that time was anything but anticlimactic as they first waited in anticipation of the donation and then waited with trepidation to see whether or not the transplant would be a success. I'm happy to report that at last update, my stem cell recipient was a healthy young man and able to enjoy most activities he had enjoyed prior to his diagnosis.

If you are not already on the National Marrow Donor list, I encourage you to do so. You never know, you might Be the Match that saves someone's life.

### CONSENT CALENDAR

No objection was made to **HB 2061** appearing on the Consent Calendar for the first day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2025, HB 2042, HB 2043, HB 2065, HB 2066, HB 2126, HB 2111** be passed.

Committee report to **HB 2006** be adopted; and the bill be passed as amended.

On motion of Rep. Jennings, **HB 2055** be amended on page 2, in line 32, by striking "be classified as a class C"; in line 33, by striking "misdemeanor" and inserting "not be used in classifying the offender's criminal history"; and the bill be passed as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2029** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Agriculture and Natural Resources** recommends **HB 2063** be amended on page 1, in line 17, after "system." by inserting "Water transfer projects shall be a lower priority than safe drinking water compliance projects."; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2096** be amended on page 1, in line 35, before "of" by inserting "or on a limited common element adjoining a unit"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2034** be passed.

Committee on **Federal and State Affairs** recommends **HB 2088**, **HB 2089** be passed.

Committee on **Federal and State Affairs** recommends **HB 2125** be amended on page 3, following line 31, by inserting the following:

"(d) Notwithstanding any provision of the law to the contrary, the secretary may designate the director to be the presiding officer in any proceeding conducted pursuant to this section."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2004** be amended on page 2, in line 10, by striking "ambulatory surgical" and inserting "recuperation"; in line 12, by striking "Investgational" and inserting "Investigational"; in line 17, by striking "disease or"; in line 18, by striking "soon";

On page 3, following line 8, by inserting:

"(e) "Physician" means a person licensed to practice medicine and surgery by the board of healing arts.";

Also on page 3, in line 16, by striking all following (b); by striking all in lines 17 through 21; in line 22, by striking "(c)"; in line 33, by striking "(d)" and inserting "(c): in line 37, before "Notwithstanding" by inserting "(a) No physician who in good faith recommends or participates in the use of an investigational drug, biological product, or device pursuant to the provisions of this act shall be subject to any criminal or civil liability, nor shall such physician be found to have committed an act of unprofessional conduct pursuant to K.S.A. 65-2837, and amendments thereto.

(b) ";

Also on page 3, in line 42, by striking ", as"; by striking all in line 43;

On page 4, in line 1, by striking "care"; in line 7, by striking "consistent with medical standards of care"; in line 17, by striking all following "thereto"; in line 18, by striking all before the period; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2109** be amended on page 1, in line 29, by striking all after "(B)"; by striking all in line 30; in line 31, by striking "beneficiary surviving the record owner" and inserting "the deceased grantee beneficiary did not leave any issue surviving the record owner";

On page 2, in line 3, by striking all after "(A)"; by striking all in lines 4 through 6; in line 7, by striking "(B)"; in line 9, by striking "(C)" and inserting "(B)"; in line 18, by striking "record owners who die" and inserting "transfer-on-death deeds recorded"; in line 20, by striking "record owners who died" and inserting "transfer-on-death deeds recorded"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2164** be amended on page 1, in line 7, by striking "\$15,000" and inserting "\$25,000"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2165** be amended on page 1, in

line 11, after "(b)" by inserting "(1)"; following line 15, by inserting:

"(2) Once the appointment of a director has been made under paragraph (1), the Sedgwick county board of commissioners shall have 30 days to reject such appointment by a majority vote of the board. If no such action is taken, the appointment shall be deemed approved. If the appointment is rejected, the appointment process shall be repeated until a director is selected."; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2315**, AN ACT concerning the department for aging and disability services; providing for the licensure of certain facilities and standards for treatment of certain individuals; also repealing K.S.A. 39-1807 and 75-3307c and K.S.A. 2014 Supp. 75-3307b, by Committee on Health and Human Services.

**HB 2316**, AN ACT concerning the minimum wage; relating to a livable wage; amending K.S.A. 2014 Supp. 44-1203 and repealing the existing section, by Representatives Frownfelter, Burroughs, Carmichael, Highberger, Kuether and Whipple.

**HB 2317**, AN ACT concerning employment; relating to employment requirements in certain state contracts; employment requirements for certain tax benefits; amending K.S.A. 2014 Supp. 12-17,166, 74-50,131, 74-50,212, 79-32,154 and 79-32,243 and repealing the existing sections, by Representative Whipple.

**HB 2318**, AN ACT concerning education; relating to establishing a Kansas nonprofit online university in partnership with western governors university, by Representatives Claeys and Whipple.

**HB 2319**, AN ACT concerning state medical assistance program; relating to expansion of the program; amending K.S.A. 2014 Supp. 39-709 and 75-7409 and repealing the existing sections, by Committee on Appropriations.

**HB 2320**, AN ACT concerning public employment; relating to wage discrimination on the basis of sex; study by secretary of administration, by Representative Ballard.

**HB 2321**, AN ACT concerning health care; expanding the definition of charitable health care provider; amending K.S.A. 2014 Supp. 75-6102 and repealing the existing section, by Committee on Health and Human Services.

**HB 2322**, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; relating to perimutuel racing; creating the Kansas agricultural opportunity act; amending K.S.A. 2014 Supp. 74-8741, 74-8744, 74-8746, 74-8747 and 74-8751 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 12, 2015.

# Journal of the House

## TWENTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 12, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Rep. Rhoades was excused on legislative business.

Reps. Goico and Hedke were excused on excused absence by the Speaker.

Present later: Rep. Rhoades.

Prayer by Chaplain Brubaker:

Eternal God,  
Thank You for this day You have given us.  
May we never take for granted the gift of life  
You give to us each day.  
Today as I pray for these leaders,  
I ask that You help them to speak truthful, but loving.  
Your Word admonishes us to speak the truth in love.  
Forgive us when we may have spoken truth  
in ways to win arguments, hurt feelings  
or even to impress others.  
Forgive us when we exaggerate or distort the truth.  
When we speak, help us to attack the issues, not people.  
Help our words to be simple, tender, truthful and loving.  
I ask that Your grace will be shown through  
the way each one of us speak.  
In Your Son's Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Lane.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Highland are spread upon the Journal:

It is an honor and a pleasure for me to acknowledge a great accomplishment. The

Rossville High School Football Team, the Bulldawgs, was crowned State 3A Champions in 2014. The football team had an undefeated season, and it was the school's first state football championship.

With us today we have the coaches: Head Coach: Derick Hammes; Assistant Coach: Dan Schneider; Assistant Coach: Jeremy Stephenson; Assistant Coach: Ian Peters; Assistant Coach: Brad Anderson; Athletic Director: Derek Dick; Superintendent: Kerry Lacock; Principal: Toby McCullough; Special Guest: Senator Laura Kelly.

I call your attention to the football team seated in the Gallery along with the team managers and the cinematographer for the team. Would you all please stand. One point of interest for the team was that Paul Steinke, a foreign exchange student from Hamburg, Germany, joined the team upon his arrival in Rossville, and his soccer skills served him and the team well. He set state records for consecutive extra-point kicks, total extra-points, and the most extra-points in one season.

We are proud of the entire team and of their accomplishments and would like to present you as head coach with a certificate from the House of Representatives to mark the occasion of your championship season.

Rep. Highland also introduced the members of the football team and others seated in the gallery:

Matheus Matumoto, Derek Gentry, Corbin Horak, Bryce Gfeller, Isaiah Luellen, Wyatt Dyche, Clayton Rubio, Jared Morris, Trevor Balch, Tucker Horak, Kyle Parr, Ethan Woodcock, Paul Borcharding, Thatcher Horak, Nick Brummer, Alex Cavanaugh, Caiden Musick, Jack Steckel, Christian Roduner, Caleb Lovejoy, Lake Schultz-Pruner, Nick Reesor, Holden Hurla, Austin Ramey, Dawson Hammes, Lee Hester, Sheldon Hulbert, Joao Uezono, Ty Dick, Terrence Sowers, Zach Jensen, Chayne Hulbert, Jordan Johnston, Eric Ebert, Tyler Sage, Reed Miller, Gabe Marney, Jarrett Ingwerson, Luke Hurtig, Nathan Dohrman, Kole Davoren, Kody Hurla, Jared Ebert, Isaac Luellen, Malcom Gillum, Riley Miller, JF Fiedler, Paul Steinke; Managers Breanna Ebert, Chris Johnston, Riley Falk, Cody York; and filmer, Remington Wehner.

Rep. Highland presented the coach and team with a framed House certificate.

## **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Proehl are spread upon the Journal:

The Governor signed a Proclamation that today, February 12, 2015, is Kansas Phi Theta Kappa All-State Academic Team Day. And today I am proud to introduce to you the Phi Theta Kappa All State Academic Team. Ten of those scholars are here on the Floor and the remainder are in the gallery.

Phi Theta Kappa is an International Honor Society for two-year colleges that symbolizes excellence in higher education and a commitment to students. Students with a GPA of 3.5 or higher are invited to join.

Phi Theta Kappa's mission is two-fold:

- to recognize and encourage the academic achievement of two-year college students, and
- to provide opportunities for individual growth and development through



participation in honors, leadership, service and fellowship programming.

Fifty-five students have been named to the All Kansas Academic Team and they represent all nineteen community colleges from across the state and were named to this team based upon their academic achievement, leadership and community service.

Because of their academic achievement, service and leadership they have been awarded scholarships and stipends to complete their education and I wanted to be sure you were aware of this impressive group of young scholars from the Kansas Community Colleges.

The 2015 Phi Theta Kappa Representatives with me on the Floor are: Keri Thompson - Labette Community College; Tyler Stoldt – Neosho County Community College-Chanute ; Joseph Lutz – Kansas City Kansas Community College; Kaitlyn Pracht – Butler Community College; Dezirae Hamrick – Coffeyville Community College; Noelle Doty – Garden City Community College; Anna Mammedova– Allen Community College; Samantha Heppler – Neosho County Community College-Ottawa; Jordan Olivarez – Dodge City Community College; Thaina Dos Santos Jensen – Highland Community College.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2323**, AN ACT concerning the Kansas act against discrimination; relating to sexual orientation and gender identity; amending K.S.A. 44-1001, 44-1004, 44-1009, 44-1015, 44-1016, 44-1017, 44-1018, 44-1027 and 44-1030 and K.S.A. 2014 Supp. 44-1002, 44-1005 and 44-1006 and repealing the existing sections, by Committee on Judiciary.

**HB 2324**, AN ACT enacting the Newell stillbirth research and dignity act, by Committee on Health and Human Services.

**HB 2325**, AN ACT relating to public and professional employee organizations; concerning collective bargaining; enacting the public employee bargaining transparency act, by Committee on Commerce, Labor and Economic Development.

**HB 2326**, AN ACT concerning negotiation of working conditions, including labor relations, for certain professional employees; amending K.S.A. 72-5415, 72-5416, 72-5417, 72-5418, 72-5419, 72-5421, 72-5423, 72-5424, 72-5426 and 72-5430 and K.S.A. 2014 Supp. 72-5413 and 72-5437 and repealing the existing sections; also repealing K.S.A. 72-5420 and 72-5428a, by Committee on Commerce, Labor and Economic Development.

**HB 2327**, AN ACT naming the meteorite the state rock, by Committee on Transportation.

**HB 2328**, AN ACT concerning sales taxation; relating to sales of required textbooks, refunds in certain instances, by Committee on Taxation.

**HB 2329**, AN ACT concerning agriculture; enacting the alternative crop research act; amending K.S.A. 2014 Supp. 21-5702 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2330**, AN ACT concerning consumer protection and common interest communities; amending K.S.A. 2014 Supp. 58-4609 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2331**, AN ACT concerning alcoholic beverages; relating to consumption of alcoholic liquor on public property; permitted consumption at catered events; amending

K.S.A. 2014 Supp. 41-719 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2332**, AN ACT concerning alcoholic beverages; relating to microbreweries; permitting the manufacture and sale of hard cider and mead; amending K.S.A. 2014 Supp. 41-102 and 41-308b and repealing the existing sections, by Committee on Federal and State Affairs.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2303, HB 2304, HB 2305, HB 2310.**

Commerce, Labor and Economic Development: **HB 2299, HB 2314, HB 2316, HB 2317.**

Corrections and Juvenile Justice: **HB 2313.**

Education: **HB 2318.**

Federal and State Affairs: **HB 2311, HB 2312, HB 2320, HB 2322.**

Health and Human Services: **HB 2315, HB 2319, HB 2321.**

Judiciary: **HB 2300, HB 2301, HB 2302.**

Taxation: **HB 2306, HB 2307, HB 2308, HB 2309.**

#### COMMUNICATIONS FROM STATE OFFICERS

From Susan Mosier, MD, Secretary and State Health Officer, pursuant to K.S.A. 65-1,159a, Senator Stan Clark Pregnancy Maintenance Initiative, Report to the 2015 Kansas Legislature.

From Doug Jorgensen, Fire Marshal, Office of the State Fire Marshal, 2013 Kansas Fire Incident Reporting System Annual Report.

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

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **HCR 5002**, and has appointed Senators King, Bruce and Hensley as second conferees on the part of the Senate.

#### CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HCR 5002** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

JEFF KING

TERRY BRUCE

ANTHONY HENSLEY

*Conferees on part of Senate*

JOHN E. BARKER

MARK KAHRs

ED TRIMMER

*Conferees on part of House*

On motion of Rep. Barker to adopt the conference committee report on **HCR 5002** to agree to disagree, the motion did not prevail and the resolution remains in conference.

### CONSENT CALENDAR

No objection was made to **HB 2029** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2061** appearing on the Consent Calendar for the second day.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2006**, AN ACT concerning veterans; relating to license plates for disabled veterans; pertaining to parking in certain public parking spaces; amending K.S.A. 2014 Supp. 8-161 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Hutton.

Present but not voting: None.

Absent or not voting: Goico, Hedke, Rhoades.

The bill passed, as amended.

**HB 2025**, AN ACT concerning the Kansas law enforcement training act; amending K.S.A. 2014 Supp. 74-5616 and 74-5622 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon,

Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Hedke, Rhoades.

The bill passed.

**HB 2042**, AN ACT concerning membership on the governor's behavioral health services planning council; amending K.S.A. 2014 Supp. 39-1605 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Hedke, Rhoades.

The bill passed.

**HB 2043**, AN ACT concerning criminal history record information; amending K.S.A. 2014 Supp. 75-53,105 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell,

Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Hedke, Rhoades.

The bill passed.

**HB 2055**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; out-of-state misdemeanors; amending K.S.A. 2014 Supp. 21-6811 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Hutton, Kahrs, Peck, Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Hedke, Rhoades.

The bill passed, as amended.

**HB 2065**, AN ACT concerning insurance; relating to nonprofit dental service corporations; subscription agreements; disbursements; amending K.S.A. 40-19a11 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell,

Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Hedke.

The bill passed.

**HB 2066**, AN ACT concerning insurance companies; relating to investments; amending K.S.A. 40-2a05, 40-2a12, 40-2a16, 40-2a25, 40-2a26, 40-2b04, 40-2b05, 40-2b09, 40-2b13, 40-2b26 and 40-2b27 and K.S.A. 2014 Supp. 40-2a27, 40-2a28, 40-2b28 and 40-2b29 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Hedke.

The bill passed.

**HB 2111**, AN ACT concerning the code of civil procedure; relating to items allowable as costs; amending K.S.A. 2014 Supp. 60-2003 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 12; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Brunk, B. Carpenter, DeGraaf, Garber, Houser, Kelley, Kiegerl, Peck, Rhoades, Scapa, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Hedke.

The bill passed.

**HB 2126**, AN ACT concerning insurance; relating to risk-based capital instructions; property and casualty actuarial opinion law; amending K.S.A. 2014 Supp. 40-223j and 40-2c01 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Hedke.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Kahrs in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Kahrs, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2051, HB 2056** be passed.

**HB 2030** be passed over and retain a place on the calendar.

On motion of Rep. Rubin, **HB 2097** be amended on page 5, in line 11, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee report to **HB 2010** be adopted; also, on motion of Rep. Hoffman, be amended on page 1, in line 12, after the semicolon by inserting "and"; by striking all in lines 13 through 17; in line 18, by striking "(3)" and inserting "(2)"; in line 21, by striking "; and"; by striking all in line 22; in line 23, by striking all before the period; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **HB 2184** be amended on page 1, in line 10, by striking "\$80" and inserting "\$100"; in line 20, by striking "\$80" and inserting "\$100"; in line 29, by striking "\$80" and inserting "\$100"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2121** be passed.

Committee on **Health and Human Services** recommends **HB 2120** be amended on page 1, in line 16 by striking "1,000" and inserting "250"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2142** be passed.

Committee on **Pensions and Benefits** recommends **HB 2095** be amended on page 1, in line 22, after "that" by inserting "for any one or more series of revenue bonds issued pursuant to this section,"; in line 23, after "rate" by inserting ", all inclusive cost,";

On page 2, in line 1, by striking "state"; also in line 1, after "constitution" by inserting "of the state of Kansas"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2090, HB 2094** be passed.

Committee on **Transportation** recommends **HB 2013, HB 2091** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **HB 2044** be amended on page 1, in line 7, by striking "enclosed"; in line 19, by striking "enclosed"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2093** be amended on page 1, in line 35, after "transmission" by inserting "in CMV";

On page 2, in line 2, after "vehicle" by inserting ";

(12) "Z"—no full air brake in CMV";

Also on page 2, following line 29, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 8-241 is hereby amended to read as follows: 8-241. (a) Except as provided in K.S.A. 8-2,125 through 8-2,142, and amendments thereto, any person licensed to operate a motor vehicle in this state shall submit to an examination whenever: (1) The division of vehicles has good cause to believe that such person is incompetent or otherwise not qualified to be licensed; or (2) the division of vehicles has suspended such person's license pursuant to K.S.A. 8-1014, and amendments thereto, as the result of a test refusal, test failure or conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution



prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, except that no person shall have to submit to and successfully complete an examination more than once as the result of separate suspensions arising out of the same occurrence.

(b) When a person is required to submit to an examination pursuant to subsection (a)(1), the fee for such examination shall be in the amount provided by K.S.A. 8-240, and amendments thereto. When a person is required to submit to an examination pursuant to subsection (a)(2), the fee for such examination shall be \$25. In addition, any person required to submit to an examination pursuant to subsection (a)(2) as the result of a test failure, a conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of \$200 after the first occurrence, \$400 after the second occurrence, \$600 after the third occurrence and \$800 after the fourth or subsequent occurrence; and as a result of a test refusal, a conviction for a violation of K.S.A. 2014 Supp. 8-1025, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 2014 Supp. 8-1025, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of \$600 after the first occurrence, \$900 after the second occurrence, \$1,200 after the third occurrence and \$1,500 after the fourth or subsequent occurrence.

(1) All examination fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 80% to the state highway fund and 20% shall be disposed of as provided in K.S.A. 8-267, and amendments thereto.

(2) On and after July 1, 2014, through June 30, 2018, all reinstatement fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 26% to the community alcoholism and intoxication programs fund created pursuant to K.S.A. 41-1126, and amendments thereto, 12% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, 12% to the forensic laboratory and materials fee fund created by K.S.A. 28-176, and amendments thereto, 17% to the driving under the influence fund created by K.S.A. 75-5660, and amendments thereto, and 33% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 20-1a15, and amendments thereto. Moneys credited to the forensic laboratory and materials fee fund as provided herein shall be used to supplement existing appropriations and shall not be used to supplant general fund appropriations to the Kansas bureau of investigation.

(3) On and after July 1, 2018, all reinstatement fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 35% to the community alcoholism and intoxication programs fund created pursuant to K.S.A. 41-1126, and amendments thereto, 20% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, 20% to the forensic laboratory and materials fee fund created by K.S.A. 28-176, and amendments thereto, and 25% to the driving under the influence fund created by K.S.A. 75-5660, and amendments thereto. Moneys credited to the forensic laboratory and materials fee fund as provided herein shall be used to supplement existing

appropriations and shall not be used to supplant general fund appropriations to the Kansas bureau of investigation.

(c) When an examination is required pursuant to subsection (a), at least five days' written notice of the examination shall be given to the licensee. The examination administered hereunder shall be at least equivalent to the examination required by ~~subsection (e) of K.S.A. 8-247(e)~~, and amendments thereto, with such additional tests as the division deems necessary. Upon the conclusion of such examination, the division shall take action as may be appropriate and may suspend or revoke the license of such person or permit the licensee to retain such license, or may issue a license subject to restrictions as permitted under K.S.A. 8-245, and amendments thereto.

(d) Refusal or neglect of the licensee to submit to an examination as required by this section shall be grounds for suspension or revocation of the license.

(e) The division may issue a driver's license with a DUI-IID designation for a licensee that is operating under ignition interlock restrictions required by K.S.A. 8-1014, and amendments thereto. The reexamination requirement in subsection (a)(2) shall not require reexamination and payment of reinstatement fees until the end of the licensee's ignition interlock restriction period. If the applicant's Kansas driver's license has been expired for one year or more, the applicant must complete a reexamination and pay any applicable reinstatement fees before qualifying for a driver's license with an ignition interlock designation. All other requirements for issuance and renewal of a driver's license under K.S.A. 8-240, and amendments thereto, shall continue to apply. The renewal periods and other requirements in K.S.A. 8-247, and amendments thereto, shall apply. The fees charged for the driver's license with ignition interlock designation shall include: (1) The fee amounts set out in K.S.A. 8-240(f), and amendments thereto; (2) fees prescribed by the secretary of revenue and required in K.S.A. 8-243(a), and amendments thereto; and (3) a \$10 fee to the DUI-IID designation fund. There is hereby created in the state treasury the DUI-IID designation fund. All moneys credited to the DUI-IID designation fund shall be used by the department of revenue only for the purpose of funding the administration and oversight of state certified ignition interlock manufacturers and their service providers."

Also on page 2, in line 30, after "Supp." by inserting "8-241 and"; also in line 30, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "commercial"; in line 2, by striking the first semicolon and inserting ", DUI-IID designation, commercial"; also in line 2, after "restrictions;" by inserting "DUI-IID designation fund;"; also in line 2, after "Supp." by inserting "8-241 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

**HB 2333**, AN ACT concerning alcoholic beverages; creating a cause of action against a person who presents false identification to obtain alcoholic liquor, by Committee on Federal and State Affairs.

**HB 2334**, AN ACT concerning the uniform consumer credit code; relating to cash advance consumer loan requirements; amending K.S.A. 16a-2-404 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2335**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; creating alternative incarceration credit; amending K.S.A. 2014 Supp. 21-6821 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2336**, AN ACT concerning children and minors; relating to juvenile offenders; risk assessment tool; amending K.S.A. 2014 Supp. 38-2361 and 38-2369 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2337**, AN ACT concerning crimes, punishment and criminal procedure; relating to conservation camps; elimination; amending K.S.A. 2014 Supp. 21-5914, 21-6604, 21-6615, 21-6702, 21-6803, 21-6824, 22-4616, 44-508, 65-1,108, 75-755, 75-7d01, 75-7d10, 75-5206 and 75-5291 and repealing the existing sections; also repealing K.S.A. 75-52,132 and K.S.A. 2014 Supp. 21-6604c and 75-52,127, by Committee on Corrections and Juvenile Justice.

**HB 2338**, AN ACT concerning crimes, punishment and criminal procedure; relating to murder in the first degree; inherently dangerous felony; amending K.S.A. 2014 Supp. 21-5402 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2339**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; amending K.S.A. 2014 Supp. 21-5504, 21-5505, 21-5506, 21-5507, 21-5508, 21-5512 and 21-5513 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2340**, AN ACT concerning elections and voting; relating to certain municipalities and special districts; amending K.S.A. 2-623, 12-344, 12-363, 13-1220, 13-1221, 19-2680, 19-2760, 19-3505, 19-3507, 24-504, 25-202, 25-209, 25-210, 25-212, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-2804, 25-3503, 71-1408, 71-1412, 71-1413, 71-1414, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3801 and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 19-2762 and 71-1417, by Committee on Elections.

**HB 2341**, AN ACT concerning wildlife; relating to seizure of wildlife; disposal; amending K.S.A. 2014 Supp. 32-1047 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2342**, AN ACT concerning the Kansas parentage act; relating to the determination of father and child relationship; amending K.S.A. 2014 Supp. 23-2209 and repealing the existing section, by Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION No. HCR 5014--  
By Committee on Federal and State Affairs

**HCR 5014--**A PROPOSITION to amend section 24 of article 2 of the constitution of the state of Kansas, relating to appropriations.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 24 of article 2 of the constitution of the state of Kansas is hereby amended to read as follows:

**"§ 24. Appropriations.** No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law. *The executive and judicial branches shall have no authority to direct the legislative branch to make any appropriation of money or to redirect the expenditure of funds appropriated by law, except as the legislative branch may provide by law, or as may be required by the Constitution of the United States. Any existing order directing the legislative branch to make an appropriation of money shall be unenforceable as of the date this provision is adopted.*"

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to clarify that the executive and judicial branches shall not direct the legislative branch to make any appropriation of money, nor to redirect the expenditures of funds appropriated by law, except as the legislative branch may provide by law, or as may be required by the Constitution of the United States. Any existing court order which is inconsistent with this amendment is unenforceable.

"A vote for this proposition would clarify that section 24 of article 2 of the constitution of the state of Kansas provides that neither the executive branch nor the judicial branch can force the legislative branch to appropriate money, except as the legislative branch may provide by law, or as may be required by the Constitution of the United States. The amendment would also prohibit the judicial branch from ordering a change in how money is spent after it has been appropriated by the legislative branch, except as the legislative branch may provide by law, or as may be required by the Constitution of the United States. If money is appropriated for a particular purpose the judicial branch could not stop that money from being spent for that purpose. Finally, the amendment would void any current court order directing the legislative branch to make an appropriation of money.

"A vote against this proposition would provide no change to the constitution of the state of Kansas, and any existing orders that direct the legislative branch to make an appropriation of money shall remain in effect."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment

to be submitted to the electors of the state at a special election to be held on the first Tuesday following 60 calendar days after the approval of this resolution by both the House of Representatives and the Senate of the Kansas legislature.

### **INTRODUCTION OF ORIGINAL MOTIONS**

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Rubin moved that the House reconsider its adverse action in not adopting the conference committee report on **HCR 5002** to agree to disagree and that a new conference committee be appointed (see HJ, page 216).

The motion prevailed.

The question then reverted back to the motion of Rep. Barker to adopt the conference committee report.

On motion of Rep. Barker the conference committee report on **HCR 5002** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Barker, Kahrs and Trimmer as second conferees on the part of the House.

### **REPORT ON ENGROSSED BILLS**

**HB 2006, HB 2055** reported correctly engrossed February 11, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, February 13, 2015.

# Journal of the House

## TWENTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 13, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 115 members present.

Reps. Gonzalez and Winn were excused on legislative business.

Reps. Goico, Hedke, Kelley, Peck, Powell, Rhoades, Sawyer, and Suellentrop were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving God,  
As we finish up the work for this week,  
thank You for all that has been accomplished.  
With Valentine's Day coming up,  
I am reminded of the great love chapter in the Bible  
which really was written in the context of  
helping a body of people know how to get along and work together.  
I believe the words are appropriate for even this body.  
If they speak with human eloquence and angelic ecstasy but don't love,  
they are nothing but the creaking of a rusty gate.  
If they give everything they own to the poor  
and even go to the stake to be burned as a martyr, but don't love,  
they have gotten nowhere.  
No matter what they say, what they believe, and what they do,  
they are bankrupt without love.  
Love never gives up.  
Love cares more for others than for self.  
Love doesn't want what it doesn't have.  
Love doesn't strut,  
doesn't have a swelled head,  
doesn't force itself on others,  
isn't always 'me first.'  
It doesn't fly off the handle,  
doesn't keep score of the sins of others,  
doesn't revel when others grovel.  
Love takes pleasure in the flowering of truth,

puts up with anything, trusts God always,  
 always looks for the best,  
 never looks back, but keeps going to the end.  
 Give us all grace to live, act and be accordingly.  
 I pray in Your Name, Amen.  
 (1 Corinthians 13, *The Message*)

The Pledge of Allegiance was led by Rep. Grosserode

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2343**, AN ACT relating to employment; concerning fair consideration for persons with a record of criminal convictions, by Committee on Veterans, Military and Homeland Security.

**HB 2344**, AN ACT concerning judges; relating to the court of appeals; retention in office; amending K.S.A. 2014 Supp. 20-3006 and 20-3010 and repealing the existing sections, by Committee on Judiciary.

**HB 2345**, AN ACT concerning schools; relating to school boards; conflicts of interest, by Committee on Judiciary.

**HB 2346**, AN ACT concerning public information; relating to open records; draft budgets; amending K.S.A. 2014 Supp. 45-221 and repealing the existing section, by Committee on Judiciary.

**HB 2347**, AN ACT concerning crimes, punishment and criminal procedure; relating to expungement of traffic infractions; amending K.S.A. 2014 Supp. 21-6614 and repealing the existing section; also repealing K.S.A. 2014 Supp. 21-6614e, by Committee on Transportation.

**HB 2348**, AN ACT concerning oil and gas; relating to the state corporation commission; concerning rules and regulations, hydraulic fracturing; amending K.S.A. 2014 Supp. 55-152 and repealing the existing section, by Committee on Vision 2020.

**HB 2349**, AN ACT concerning oil and gas; relating to the state corporation commission; concerning injection disposal wells, moratorium on wells in Harper and Sumner counties; amending K.S.A. 2014 Supp. 55-155 and repealing the existing section, by Committee on Vision 2020.

**HB 2350**, AN ACT concerning municipalities; relating to property assessments, qualified clean energy improvements, by Committee on Vision 2020.

**HB 2351**, AN ACT concerning water; related local enhanced management areas; amending K.S.A. 2014 Supp. 82a-1041 and repealing the existing section, by Committee on Agriculture and Natural Resources.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2327, HB 2329, HB 2341.**

Commerce, Labor and Economic Development: **HB 2325, HB 2326.**

Corrections and Juvenile Justice: **HB 2335, HB 2336, HB 2337, HB 2338.**

Elections: **HB 2340.**

Federal and State Affairs: **HB 2331, HB 2332, HCR 5014.**

Financial Institutions: **HB 2334.**

Health and Human Services: **HB 2324.**

Judiciary: **HB 2323, HB 2330, HB 2333, HB 2339, HB 2342.**

Taxation: **HB 2328.**

### CONSENT CALENDAR

No objection was made to **HB 2013, HB 2091** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2029** appearing on the Consent Calendar for the second day.

Objection was made to **HB 2061** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2010**, AN ACT concerning the legislative post audit act; providing for information technology audits; amending K.S.A. 46-1128 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Gonzalez, Hedke, Kelley, Peck, Powell, Rhoades, Sawyer, Suellentrop, Winn.

The bill passed, as amended.

**HB 2051**, AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; good time and program credits; amending K.S.A. 2014 Supp. 21-6821 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 5; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Grosserode, Hawkins, Hemsley,



Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Anthimides, Hutton, Kahrs, Scapa, Ward.

Present but not voting: None.

Absent or not voting: Goico, Gonzalez, Hedke, Kelley, Peck, Powell, Rhoades, Sawyer, Suellentrop, Winn.

The bill passed.

**HB 2056**, AN ACT concerning crimes, punishment and criminal procedure; relating to community corrections; use of risk assessment tool; amending K.S.A. 2014 Supp. 75-5291 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Gonzalez, Hedke, Kelley, Peck, Powell, Rhoades, Sawyer, Suellentrop, Winn.

The bill passed.

**HB 2097**, AN ACT concerning search and rescue and hazardous material response matters; dealing with tort claims immunity; amending K.S.A. 2014 Supp. 75-6102 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 23; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeyes, Clark, Clayton, Concannon, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger,

Highland, Hill, Hineman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Schroeder, Seiwert, Sloan, Smith, Sutton, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Wolfe Moore.

Nays: Boldra, B. Carpenter, Corbet, Esau, Garber, Grosserode, Hildabrand, Hoffman, Hutchins, K. Jones, Kiegerl, Mason, Mast, McPherson, Merrick, O'Brien, Scapa, Schwab, Schwartz, Thimesch, Todd, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Gonzalez, Hedke, Kelley, Peck, Powell, Rhoades, Sawyer, Suellentrop, Winn.

The bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2107** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2053** be amended on page 3, following line 7, by inserting:

"(e) The amendments made to this section by this act are procedural in nature and shall be construed and applied retroactively.";

On page 5, following line 10, by inserting:

"(j) The amendments made to this section by this act are procedural in nature and shall be construed and applied retroactively.";

Also on page 5, by striking all in lines 11 through 35; following line 35, by inserting "New Sec. 3. If any provision of this act is held invalid, the invalidity shall not affect other provisions or applications of the act, and to this end the provisions of this act are severable.";

Also on page 5, in line 36, by striking "K.S.A. 22-3504 and";

On page 1, in the title, in line 3, by striking "K.S.A. 22-3504 and"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2182** be amended on page 1, by striking all in lines 28 through 31; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2183** be amended on page 1, in line 28, by striking "computer or"; by striking all in line 29; in line 30, by striking all before the period and inserting "an electronic medium which allows users to create and view user-generated content, including, but not limited to, uploaded or downloaded videos or photographs, blogs, audio files, instant messages or email";

On page 3, in line 16, by striking "140" and inserting "200"; also in line 16, by striking the second "which"; by striking all in line 17; in line 18, by striking all before the period; in line 41, after "apply" by inserting "to"; also in line 41, by striking the last "the"; in line 42, by striking "wireless broadband" and inserting "internet"; also in line 42, by striking "in the Kansas statehouse to"; by striking all in line 43;

On page 4, by striking all in line 1; in line 2, by striking all before the period and inserting "by the state of Kansas or any municipality to any candidate or elected official"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2185** be amended on page 1, in line 9, by striking "60" and inserting "365"; in line 13, by striking "shall" and inserting "may"; in

line 14, by striking "a training" and inserting "an inservice"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2032** be amended on page 1, in line 8, by striking "shall" and inserting "may"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2124** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2002** be amended on page 1, in line 7, after "is" by inserting "engaging in any of the following acts with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person"; in line 13, by striking "with intent to arouse"; by striking all in line 14; in line 15, by striking "offender or any other person"; in line 19, after the first "or" by inserting "(a)"; in line 36, by striking "Subsection (c) of"; also in line 36, after "21-5301" by inserting "(c)";

On page 2, in line 3, by striking "subsection (c) of"; also in line 3, after "21-5302" by inserting "(c)"; in line 6, by striking "subsection (d) of"; also in line 6, after "21-5303" by inserting "(d)"; in line 12, before "Appearance" by inserting "Exhibition in the nude"; also in line 12, by striking "victim" and inserting "child"; in line 15, by striking "sado-masochistic" and inserting "sodomasochistic"; in line 20, by striking the colon; by striking all in lines 21 and 22; in line 23, by striking "prurient interest of the offender or any other person"; in line 25, by striking the comma and inserting a semicolon; also in line 25, after "recording" by inserting a semicolon; in line 29, after "disk" by inserting a semicolon; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2154** be passed.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 29**, by Representative Ron Highland, congratulating the Rossville High School Bulldogs Football Team in recognition of winning the 2014 Kansas State 3A State Championship with a 14-0 record;

**Request No. 30**, by Representative Basil Dannebohm, commending Christopher McCord and Company in recognition for hard work in restoring the historic Wolf Hotel as an Ellinwood landmark;

**Request No. 31**, by Representative Basil Dannebohm, commending St. Peter and Paul Heritage Association in recognition for dedication to the restoration of a spiritual and historic landmark on the plains of central Kansas;

**Request No. 32**, by Representative Basil Dannebohm, congratulating Alma Spangenburg in recognition of her 100<sup>th</sup> birthday;

**Request No. 33**, by Representative Basil Dannebohm, congratulating Harold and Sylvia Drake in recognition of their 78<sup>th</sup> wedding anniversary;

**Request No. 34**, by Representative Basil Dannebohm and Representative Ponka-We Victors, congratulating Annika Wooton in recognition of being crowned Miss Greater

Wichita 2015;

**Request No. 35**, by Representative Virgil Peck, congratulating Ramona Rau on her 80<sup>th</sup> birthday;

**Request No. 36**, by Representative Troy L. Waymaster, congratulating Melinda Cross in recognition for being named the 2014-2015 Dr. Earl Reum Kansas Advisor of the Year;

**Request No. 37**, by Representative Susie Swanson, congratulating Robert Moran on being named the 2014 Girls' Volleyball Coach of the Year, Class 4A-Division II;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2352**, AN ACT concerning financial institutions; relating to branch banking, remote service units; amending K.S.A. 2014 Supp. 9-1111 and repealing the existing section, by Committee on Financial Institutions.

**HB 2353**, AN ACT concerning the virtual school act; eliminating reference to nonproficient pupils; amending K.S.A. 2014 Supp. 72-3715 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2354**, AN ACT relating to economic development; concerning project sales tax exemptions for certain businesses that create jobs; amending K.S.A. 2014 Supp. 74-50,115 and 79-3606 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2355**, AN ACT concerning motion picture distribution and exhibition; relating to drive-in theaters, by Committee on Commerce, Labor and Economic Development.

**HB 2356**, AN ACT concerning public safety; relating to elevators, escalators, platform lifts, stairway chairlifts, dumbwaiters, moving walks, automated people movers and other conveyances, by Committee on Commerce, Labor and Economic Development.

**HB 2357**, AN ACT relating to the secretary of labor; concerning employment security law and administration; employment security personnel; amending K.S.A. 2014 Supp. 44-706, 44-709, 44-714 and 44-717 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2358**, AN ACT concerning crimes, punishment and criminal procedure; relating to female genital mutilation; amending K.S.A. 2014 Supp. 21-5431 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2359**, AN ACT concerning law enforcement; relating to videos; confidentiality; amending K.S.A. 2014 Supp. 45-221 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2360**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; increasing the membership of the

board of trustees of the Kansas public employees retirement system to 11 members; providing certain requirements for new members; amending K.S.A. 74-4905 and repealing the existing section, by Committee on Pensions and Benefits.

**HB 2361**, AN ACT concerning sales taxation; relating to countywide retailers' sales tax, authority for Bourbon county; sales tax exemptions, concern, inc.; amending K.S.A. 2014 Supp. 12-187, 12-189, 12-192 and 79-3606 and repealing the existing sections, by Committee on Taxation.

**HB 2362**, AN ACT concerning certain licensees of the state board of healing arts; resident active license; access to health care records; amending K.S.A. 65-2852, as amended by section 21 of chapter 131 of the 2014 Session Laws of Kansas and 65-4941 and K.S.A. 2013 Supp. 65-2809, as amended by section 7 of chapter 131 of the 2014 Session Laws of Kansas, 65-2836, as amended by section 10 of chapter 131 of the 2014 Session Laws of Kansas, 65-2895, as amended by section 36 of chapter 131 of the 2014 Session Laws of Kansas and 65-28a03, as amended by section 43 of chapter 131 of the 2014 Session Laws of Kansas and repealing the existing sections, by Committee on Health and Human Services.

**HB 2363**, AN ACT concerning judges; relating to district magistrate judges; elimination or reassignment of positions upon vacancy; amending K.S.A. 5-417, 16a-6-116, 17-1775, 17-7307, 17-76,129, 20-301, 20-327, 20-331, 20-333, 20-336, 20-348, 20-354, 20-2908, 22-2602, 22-2603, 22-2604, 22-2605, 22-2606, 22-2607, 22-2608, 22-2609, 22-2610, 22-2611, 22-2612, 22-2613, 22-2614, 22-2616, 22-2617, 43-162, 43-163, 43-164, 47-421, 50-110, 50-638, 55-1617, 56-1a510, 59-2126, 59-2138, 59-2207, 59-2403, 60-601, 60-602, 60-603, 60-604, 60-605, 60-606, 60-607, 60-608, 60-609, 60-611, 60-613, 60-614, 61-2708, 61-3402, 61-3403, 61-3404, 61-3405, 61-3406, 61-3407, 61-3409, 66-118e, 75-6907, 77-609 and 77-624 and K.S.A. 2014 Supp. 8-259, 8-1020, 17-76,121, 20-329, 22-2615, 22-2619, 22-2902, 22-3428, 22-3428a, 23-2210, 26-501, 38-2204, 38-2305, 40-218, 43-107, 43-158, 59-2136, 59-2203, 59-2971, 59-29b71, 60-242, 60-612, 60-4103, 74-711 and 75-7510 and repealing the existing sections; also repealing K.S.A. 20-301b, 20-338, 20-3107, 20-3108, 20-3109 and 20-3110 and K.S.A. 2014 Supp. 43-112a and 43-112b, by Committee on General Government Budget.

### CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2248**, **HB 2317** from Committee on Commerce, Labor and Economic Development and referral to Committee on Taxation.

### COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Schwab to replace Rep. Hedke on Committee on Energy and Environment on Monday, February 16. Rep. Hedke will resume his membership on the committee on Tuesday, February 17.

### REPORT ON ENGROSSED BILLS

**HB 2010**, **HB 2097** reported correctly engrossed February 13, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 16, 2015.

# Journal of the House

## TWENTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 16, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 115 members present.

Rep. Rubin was excused on verified illness.

Rep. Francis was excused on legislative business.

Reps. Anthimides, Hedke, Huebert, Kelley, Read, Ruiz, Sawyer and Suellentrop were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Eternal God,  
Thank You for this new day and week  
which is a blessing and gift to us.  
On this Presidents' Day,  
we reflect upon the leadership of our early great forefathers.  
Today I pray for these leaders  
a prayer President George Washington prayed for himself:  
"...I beseech thee to accept my humble and hearty thanks,  
that it hath pleased thy great goodness to keep and preserve me...  
increase my faith in the sweet promises of the gospel...  
give me repentance from dead works;  
pardon my wanderings, and direct my thoughts...  
teach me how to live in thy fear,  
labor in thy service,  
and ever to run in the ways of thy commandments;  
make me always watchful over my heart...  
but daily frame me more and more  
into the likeness of thy son Jesus Christ."  
It is for this same spirit in our leaders  
that I pray for in Your Name,  
Amen.

The Pledge of Allegiance was led by Rep. Hibbard.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2364**, AN ACT concerning the veterinary training program for rural Kansas; amending K.S.A. 2014 Supp. 76-4,112 and repealing the existing section, by Committee on Appropriations.

**HB 2365**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch, by None.

**HB 2366**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on Appropriations.

**HB 2367**, AN ACT concerning economic development; relating to rural opportunity zones; amending K.S.A. 2014 Supp. 74-50,222 and repealing the existing section, by Committee on Taxation.

**HB 2368**, AN ACT concerning economic development; relating to the establishment of arts and cultural districts, by Committee on Federal and State Affairs.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2351**.

Commerce, Labor and Economic Development: **HB 2355, HB 2356, HB 2357**.

Corrections and Juvenile Justice: **HB 2347, HB 2358, HB 2359**.

Education: **HB 2345, HB 2353**.

Energy and Environment: **HB 2348, HB 2349, HB 2350**.

Financial Institutions: **HB 2352**.

Health and Human Services: **HB 2362**.

Judiciary: **HB 2343, HB 2344, HB 2346, HB 2363**.

Pensions and Benefits: **HB 2360**.

Taxation: **HB 2354, HB 2361**.

## CONSENT CALENDAR

No objection was made to **HB 2124** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2013, HB 2091** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2029** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2029**, AN ACT concerning domesticated deer; relating to identification of deer; amending K.S.A. 2014 Supp. 47-2101 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 0; Present but not voting: 1; Absent or not voting: 10.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier,

Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: D. Jones.

Absent or not voting: Anthimides, Francis, Hedke, Huebert, Kelley, Read, Rubin, Ruiz, Sawyer, Suellentrop.

The bill passed.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Reps. Claeys and Hildabrand to replace Reps. Pauls and Rubin on Committee on Judiciary for February 16. Reps. Pauls and Rubin will resume membership on the committee on February 17.

Also, the appointment of Rep. Mast to replace Rep. Hedke on Committee on Education for February 16. Rep. Hedke will resume his membership on the committee on February 17.

Also, the appointment of Rep. Ruiz to replace Rep. Sawyer on Committee on Taxation for February 16-19.

Also, the appointment of Rep. Burroughs to replace Rep. Sawyer on Committee on Elections for February 16-18.

Also, the appointment of Rep. Peck to replace Rep. DeGraaf on Committee on Appropriations effective immediately.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6009, HR 6010, HR 6011** reported correctly enrolled and properly signed on February 16, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 17, 2015.



# Journal of the House

## TWENTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 17, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 121 members present.

Rep. Proehl was excused on verified illness.

Rep. Francis was excused on legislative business.

Reps. Kelley and Sawyer were excused on excused absence by the Speaker.

Prayer by the Rev. Dennis Wallace, pastor, Asbury United Methodist Church, Wichita, and guest of Rep. Whitmer:

God, we worship you – we love and honor you for you are the Creator and we are your creation. Thank you for your love and mercy – thank you for your grace that allows each day and each meeting of this chamber to be a new beginning. You are the God who is still at work in our world and in our lives changing us into the people you created us to be.

We gather mindful of our need to seek you for understanding and wisdom. We acknowledge that the answers we seek for our personal lives, for our state, our nation and for our world can only be found in you. You alone are our hope! We ask you to give us your heart, your eyes and your will to do what pleases you for your glory and for our good.

Thank you for your willingness to use us to make your world a better place. We ask that by the power of your Spirit that you give our elected officials the courage and the will to do what is necessary to help all Kansans. Give each person in this room a heart for action and a determination to stay the course.

We ask all of this in Your name, Amen.

The Pledge of Allegiance was led by Rep. Whitmer.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5015**—

By Committee on Judiciary

**HCR 5015**-- A PROPOSITION to amend the constitution of the state of Kansas by

revising article 3 thereof, relating to the judiciary.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

**"Article 3.—JUDICIAL**

**"§ 1. Judicial power; seals; rules.** The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

**"§ 2. Supreme court.** The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

**"§ 3. Jurisdiction and terms.** The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

**"§ 4. Reporter; clerk.** There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices for two years, and whose duties shall be prescribed by law.

**"§ 5. Selection of justices of the supreme court.** (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open on the supreme court as a result of enlargement of such court, or the retirement or failure of an incumbent to file such justice's declaration of candidacy to be retained in office as hereinafter required, or failure of a justice to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(2) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees, with the consent of the senate.

(b) Whenever a vacancy occurs, will occur or position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(c) No person appointed pursuant to subsection (a) shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office, whose name has been submitted to the governor by the supreme court nominating commission, and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(d) (1) Each justice of the supreme court appointed pursuant to subsection (a) and consented to pursuant to subsection (c) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of the term of any justice of the supreme court, the justice may file in the office of the secretary of state a declaration of candidacy for retention in office. If a declaration is not filed as provided in this section, the position held by the justice shall be vacant upon the expiration of the justice's term of office. If such declaration is filed, the justice's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows: "Shall (Here insert name of justice.), Justice of the Supreme Court, be retained in office?"

(3) If a majority of those voting on the question vote against retaining the justice in office, the position which the justice holds shall be vacant upon the expiration of the justice's term of office. Otherwise, unless the justice is removed for cause, the justice shall remain in office for the regular term of six years from the second Monday in January following the election. At the expiration of each term, unless by law the justice is compelled to retire, the justice shall be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the justice's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such justice who has not been retained in office pursuant to this section shall not be eligible for appointment to the office of justice of the supreme court prior to the expiration of six years after the expiration of the justice's term of office.

(e) A nonpartisan nominating commission whose duty it shall be to nominate

and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." Such commission shall be organized as hereinafter provided.

(f) The supreme court nominating commission shall be composed as follows: Five members appointed by the governor; and one member from each congressional district chosen from among their number by the resident members of the bar in each such district. All members shall be residents of Kansas. At least one member appointed by the governor shall be a member of the bar in good standing and licensed in Kansas. The governor shall designate one of the five members appointed by the governor to serve as such commission's chairperson.

(g) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

(h) No member of the supreme court nominating commission shall, while a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court.

(i) An affirmative vote of  $\frac{2}{3}$  of the members of the supreme court nominating commission shall be required to nominate and submit the name of a person to the governor for the office of justice of the supreme court or the office of judge of the court of appeals.

**"§ 6. Court of appeals.** (a) (1) The court of appeals shall consist of 14 judges whose positions shall be numbered one to 14. The court of appeals shall be a part of the court of justice in which the judicial power of the state is vested by section 1 of this article and shall be subject to the general administrative authority of the supreme court. The court of appeals shall have such jurisdiction over appeals in civil and criminal cases and from administrative bodies and officers of the state as may be prescribed by law, and shall have such original jurisdiction as may be necessary to the complete determination of any cause on review. During the pendency of any appeal, the court of appeals, on such terms as may be just, may make an order suspending further proceedings in the court below, until the decision of the court of appeals.

(2) Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established by section 5 of this article.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees, with the consent of the senate.

(b) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(c) No person appointed pursuant to subsection (a) shall assume the office of judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office, whose name has been submitted to the governor by the supreme court nominating commission, and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(d) (1) Each judge of the court of appeals appointed pursuant to subsection (a) and consented to pursuant to subsection (c) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of the term of any judge of the court of appeals, the judge may file in the office of the secretary of state a declaration of candidacy for retention in office. If a declaration is not filed as provided in this section, the position held by the judge shall be vacant upon the expiration of the judge's term of office. If such declaration is filed, the judge's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows: "Shall (Here insert name of judge.), Judge of the Court of Appeals, be retained in office?"

(3) If a majority of those voting on the question vote against retaining the judge in office, the position which the judge holds shall be vacant upon the expiration of the judge's term of office. Otherwise, unless the judge is removed for cause, the judge shall remain in office for the regular term of four years from the second Monday in January following the election. At the expiration of each term, unless by law the judge is compelled to retire, the judge shall be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the judge's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such judge who has not been retained in office pursuant to this section shall not be eligible for appointment to the office of judge of the court of appeals prior to the expiration of four years after the expiration of the judge's term of office.

(e) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

**"§ 7. District courts.** (a) The state shall be divided into judicial districts as

provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

**"§ 8. Qualifications of justices and judges.** Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

**"§ 9. Prohibition of political activity by justices and certain judges.** No justice of the supreme court who is appointed under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

**"§ 10. Extension of terms until successor qualified.** All judicial officers shall hold their offices until their successors shall have qualified.

**"§ 11. Compensation of justices and judges; certain limitation.** The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States except as may be provided by law, or practice law during their continuance in office.

**"§ 12. Removal of justices and judges; retirement.** (a) Justices of the

supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

(b) Any justice or judge upon reaching age 75 shall retire, except that when any justice or judge attains the age of 75, such justice or judge may, if such justice or judge desires, finish serving the term during which such judge attains the age of 75.

**"§ 13. Savings clause.** Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to place the law concerning the court of appeals into the constitution, to change the procedure for selecting supreme court justices and court of appeals judges and to change the membership of the nonpartisan supreme court nominating commission. The gubernatorial appointments to the nonpartisan supreme court nominating commission would be increased from four members to five members. The members of the bar would continue to elect four members of the commission. The commission would continue to nominate three persons for appointment by the governor, but a  $\frac{2}{3}$  majority vote would be required to submit any person's name to the governor. The governor would appoint one of such persons to the office of justice of the supreme court or judge of the court of appeals, and such person's appointment would be required to be consented to by the senate. A procedure is established whereby senate consent would occur within 30 days of receiving the appointment. If the senate does not consent by a majority vote, the governor would then select an appointment which would again go to the senate for consent. The same appointment and consent procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 30 days, it will be considered that the senate has consented to the appointment.

"A vote for this proposition would place the law concerning the court of appeals into the constitution and provide a procedure whereby a modified supreme court nominating commission would nominate three qualified persons to the governor for each vacant office of justice of the supreme court or judge of the court of appeals. The governor or chief justice would appoint one of such persons to the office of justice of the supreme

court or judge of the court of appeals and the senate, by majority vote, would consent to the appointment.

"A vote against this proposition would leave the law concerning the court of appeals in the Kansas statutes and continue in effect the current procedure whereby the governor appoints judges of the court of appeals, with the consent of the senate. It would also continue in effect the current procedure whereby the supreme court nominating commission nominates three persons for the office of justice of the supreme court and the governor appoints one of such persons, with no senate consent required."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2364**.

Appropriations: **HB 2365**, **HB 2366**.

Federal and State Affairs: **HB 2368**.

Taxation: **HB 2367**.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HCR 5002**.

#### CONSENT CALENDAR

No objection was made to **HB 2124** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2013**, **HB 2091** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2013**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the omega psi phi license plate, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 88; Nays 33; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Claeys, Clark, Clayton, Concannon, Curtis, Dannebohm, Dierks, Doll, Edmonds, Estes, Ewy, Finch, Finney, Frownfelter, Gallagher, Goico, Gonzalez, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins,



Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lusk, Lusker, Mason, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Rooker, Rubin, Ruiz, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barker, Brunk, Carmichael, B. Carpenter, W. Carpenter, Corbet, Davis, DeGraaf, Dove, Esau, Garber, Grosserode, Hawkins, Highland, Hildabrand, Houser, Hutton, K. Jones, Kahrs, Lunn, Macheers, Mast, McPherson, Merrick, Read, Rhoades, Ryckman, Scapa, Suellentrop, Sutton, Todd, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Francis, Kelley, Proehl, Sawyer.

The bill passed.

**HB 2091**, AN ACT concerning motor vehicles; relating to registration; decals for license plates, serial numbers; amending K.S.A. 2014 Supp. 8-134 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Francis, Kelley, Proehl, Sawyer.

The bill passed.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to HCR 5002 submits the following report:

The House accedes to all Senate amendments to the resolution, and your committee on conference further agrees to amend the resolution as printed as Amended by Senate on Final Action, as follows:

On page 4, in line 43, before "A" by inserting "Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed

in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision.";

And your committee on conference recommends the adoption of this report.

JEFF KING  
TERRY BRUCE  
ANTHONY HENSLEY  
*Conferees on part of Senate*

JOHN E. BARKER  
MARK KAHR  
*Conferees on part of House*

On motion of Rep. Barker, to adopt the conference committee report on **HCR 5002**, Rep. Ward offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Ward did not prevail and the question reverted back to the original motion of Rep. Barker to adopt the conference committee report.

On roll call, the vote was: Yeas 83; Nays 38; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeyes, Clark, Concannon, Corbet, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hineman, Hoffman, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Phillips, Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Frownfelter, Gallagher, Grosserode, Henderson, Henry, Highberger, Hildabrand, Hill, Houser, Houston, K. Jones, Kuether, Lane, Lusk, Lusker, McPherson, Ousley, Peck, Rooker, Ruiz, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Francis, Kelley, Proehl, Sawyer.

The motion of Rep. Barker prevailed and the conference committee report on **HCR 5002** was adopted.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2059** be amended on page 2, following line 1, by inserting:

"(c) Upon a finding of an unlawful diversion, the chief engineer shall notify the affected groundwater management district. If such diversion happens outside of a groundwater management district, the chief engineer shall notify the adjoining landowners."; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **HB 2069** be amended on page 3, in line 4, after "less." by inserting "If such place of use is changed, the amount of water authorized for use by the term permit shall be reduced by 10%.,"

On page 4, in line 41, by striking "100%" and inserting "75%"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **HB 2156** be amended on page 2, in line 9, by striking "as"; in line 10, by striking "provided in K.S.A. 82a-1308a, and amendments thereto" and inserting "at a rate per annum equal to the average of the monthly net earnings rate for the pooled money investment portfolio for the preceding calendar year";

Also on page 2, following line 10, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 82a-1605 is hereby amended to read as follows: 82a-1605. (a) The state may participate with a sponsor in the development, construction or renovation of a class II multipurpose small lake project if the sponsor has a general plan which has been submitted to and approved by the chief engineer in the manner provided by K.S.A. 24-1213 and 24-1214, and amendments thereto. If the Kansas water office determines that additional public water supply storage shall be needed in that area of the state within 20 years from the time such project is to be completed and a water user is not available to finance public water supply storage, the state may include future use public water supply storage in the project. The Kansas water office shall apply for a water appropriation right sufficient to insure a dependable yield from public water supply storage. The Kansas water office shall be exempt from all applicable fees imposed pursuant to K.S.A. 82a-701 et seq., and amendments thereto, for such applications. The Kansas water office shall have authority to adopt rules and regulations relative to the inclusion of public water supply storage in proposed projects under this act and the disposition of state-owned water rights and associated public water supply storage space in such projects.

(b) In a class II project, the state may assume initial financial obligations for public water supply storage in watersheds by entering into long-term contracts with the federal government. In order to provide security to the federal government, the state may grant assignments of water rights, either appropriation rights or water reservation rights; assignments of rights under existing or prospective water purchase contracts; assignments, mortgages or other transfers of interests in real property held by the state and devoted to the specific small lake project for which security is sought; or may provide other security that is permissible under state law and acceptable by the federal government. Instead of contracting to repay costs under long-term contracts, the state may pay all of the required costs of the public water supply storage in a lump sum.

(c) The sponsor of such class II project shall be responsible for acquiring land rights and for the costs of operation and maintenance of such project. The state or federal government may provide up to 50% of the engineering and construction costs and up to 50% of the costs of land rights associated with recreation features. Subject to the provisions of subsection (d), the state may pay up to 100% of the engineering and construction costs of flood control and public water supply storage. All other costs of such project, including land, construction, operation and maintenance shall be paid by the sponsor.

(d) The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most

cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.

(e) The Kansas water office may recover the state's costs incurred in providing public water supply storage in such class II project, and interest on such costs, by selling such storage and the associated water rights. Interest on such costs shall be computed at a rate per annum ~~which is equal to the greater of: (1) The average rate of interest earned the past calendar year on repurchase agreements of less than 30 days' duration entered into by the pooled money investment board, less 5%; or (2) four percent equal to the average of the monthly net earnings rate for the pooled money investment portfolio for the preceding calendar year.~~

Sec. 3. K.S.A. 2014 Supp. 82a-1606 is hereby amended to read as follows: 82a-1606. (a) The state may participate with a sponsor in the development, construction or renovation of a class III multipurpose small lake project if the sponsor has a general plan which has been submitted to and approved by the chief engineer in the manner provided by K.S.A. 24-1213 and 24-1214, and amendments thereto. If public water supply storage is included in the project, the sponsor of such class III project shall pay for 100% of the costs associated with the public water supply storage portion of such project unless the Kansas water office determines that additional public water supply storage shall be needed in that area of the state within 20 years from the time such project is to be completed and a sponsor is not available to finance 100% of the costs associated with the public water supply storage, the state may participate in the future use public water supply storage costs of the project. If the state participates in the public water supply storage costs, the Kansas water office shall apply for a water appropriation right sufficient to insure a dependable yield from public water supply storage. The Kansas water office shall be exempt from all applicable fees imposed pursuant to K.S.A. 82a-701 et seq., and amendments thereto, for such applications. The Kansas water office shall have authority to adopt rules and regulations relative to the inclusion of public water supply storage in proposed projects under this act and the disposition of state-owned water rights and associated public water supply storage space in such projects.

(b) The sponsor of such class III project shall be responsible for acquiring land rights and for the costs of operation and maintenance of the project. The state may provide up to 50% of the engineering and construction costs and up to 50% of the costs of land rights associated with recreation features. Subject to the provisions of subsection (c), the state may pay up to 100% of the engineering and construction costs of flood control storage and public water supply storage. All other costs of such project, including land, construction, operation and maintenance, shall be paid by the sponsor.

(c) The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.

(d) The Kansas water office may recover the state's costs incurred in providing public water supply storage in such class III project, and interest on such costs, by selling such storage and the associated water rights. Interest on such costs shall be computed at a rate per annum ~~which is equal to the greater of: (1) The average rate of~~

~~interest earned the past calendar year on repurchase agreements of less than 30 days' duration entered into by the pooled money investment board, less 5%; or (2) four percent equal to the average of the monthly net earnings rate for the pooled money investment portfolio for the preceding calendar year."~~

Also on page 2, in line 11, by striking "is" and inserting ", 82a-1605 and 82a-1606 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "82a-1604" by inserting ", 82a-1605 and 82a-1606"; also in line 2, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2268** be passed.

Committee on **Judiciary** recommends **HCR 5004** be adopted.

Committee on **Judiciary** recommends **HCR 5005** be amended on page 8, in line 32, by striking "in effect the"; by striking all in lines 33 through 35; in line 36, by striking "one of such persons" and inserting "the current system in which justices of the supreme court are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission and judges of the court of appeals are appointed by the governor, with the consent of the senate"; and the resolution be adopted as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2369**, AN ACT concerning tanning facilities; prohibiting minors' access to a tanning device, by Committee on Appropriations.

**HB 2370**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, 68-2320, 74-50,107, 74-8963, 74-99b34, 75-2319, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b34a, by Committee on Appropriations.

## CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2253** from Committee on Pensions and Benefits and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2261** from Committee on Commerce, Labor and Economic Development and referral to Committee on Taxation.

Also, the withdrawal of **HB 2321** from Committee on Health and Human Services and referral to Committee on Appropriations.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 18, 2015.

# Journal of the House

TWENTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 18, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Rep. Proehl was excused on verified illness.

Reps. Goico and Kelley were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving God,  
On this Ash Wednesday as we reflect of  
the great love You have for us,  
we are reminded of what You did for us through Your Son.  
He went forty days alone, a wilderness of thoughts,  
tempting and inviting thoughts,  
which could so easily have distracted Him from His task and Your mission.  
Yet He emerged, stronger and more attuned to all that had to be done.  
We too live in stressful times.  
Demands are made of our time,  
that leave so little time for the important things of life.  
We are easily distracted in the wilderness of our lives,  
by every call to go this way or that,  
and do all that would keep us from the truth.  
We listen to the voices of this world,  
and ignore the one who endured all this and so much more,  
yet emerged triumphant, that we might not have to suffer so.  
Forgive us, Father, when we get distracted from our task.  
Forgive us those times when we try to be all things to all men,  
and fail to be anything to anyone.  
I pray this in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Carmichael.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Kelly are spread upon the Journal:

It is a pleasure to have with me today the members of the Independence High School Girls 4-A State Championship Tennis Team and their coaches. This Independence Girls team won the 5<sup>th</sup> Girls State Tennis Championship for their school in October.

Independence Girls Tennis has been a prominent program in Kansas since the first girls state tournament was held in 1971. Independence has qualified girls for the last 41 years in a row and has placed in the tournament the last 14 years, including 5 state championships and two runner-up finishes. In addition, Independence has won the SEK league title 10 of the last 11 years and the regional tournament 8 of the last 9 years.

As a team this year, the girls won 79% of their overall matches and three team members ended their high school careers with over 100 career matches won.

I would like to now introduce the team members that are here today, ending with the 6 girls that won the 4-A team state championship and the team coaches.

Team members include: Sagan Shire; Halei Matthews; Qwynn Marquez; Calisse Papan; Katie Capps; Chelsea Cushing; Emily Wilson; Alex Keller; Kaylee Bryant; Amanda Trout; Clare Bindley.

State Tournament Team: Abbi Groff, with 128 career matches won. She was the state singles runner-up as a sophomore and senior and State Champion as a junior. Also, Caringtyn Julian, Anna Miller, Lyssa Schabel, Kalei Matthews (106 career matches won), and Shalie Matthews (107 career matches won).

The coaches, who have been a team for over two decades, are Assistant Coach, Gina McLenon and Head Coach, Ken Brown.

Before our session today I presented a certificate of congratulations to the 2014 Girls 4-A State Championship team, which reads: "Congratulations to the Independence High School Girls Tennis Team for winning the 2014 State Championship."

I also presented a certificate to Head Coach Ken Brown. Ken was a political science professor at Independence Community College for 40 years and also coached tennis at the college for 23 years. He then decided to make the switch to Independence High School tennis where he has been a Rule 10 coach for over 25 years. During these years Ken coached both boys and girls teams, and in his spare time he has served as the Director of the City Recreation youth summer tennis program for the past 31 years. During these years Ken not only developed the tennis skills of thousands of Independence youth, but he has more importantly, helped develop life and citizenship skills these students will appreciate for the rest of their lives.

At the end of the 2014 season Ken Brown retired as the girl's tennis coach, he had retired as boy's coach two seasons prior. Both retirements followed a State Championship season and just this past week Ken was recognized by the National Federation Coaches Association as the 2014 Kansas Girls Tennis Coach of the year, truly a storybook finish to a storied coaching career.

Ken Brown's certificate reads: Commending Ken Brown for enhancing the Tennis and Life Skills of Independence Youth for over 40 years ... the certificate wording ends with the team motto that Ken has held true to for over 40 years: "Expect the Best, Work the Hardest, and Enjoy the Moment".

Congratulations to the Independence Girls 4-A State Championship Tennis Team their assistant coaches and retiring Head Coach Ken Brown.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2371**, AN ACT concerning certain crimes; relating to fantasy sports leagues; amending K.S.A. 2014 Supp. 21-6403 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2372**, AN ACT concerning property taxation; relating to exemptions, trailers used exclusively for personal use, by Committee on Taxation.

**HB 2373**, AN ACT concerning utilities; relating to the renewable energy standards act, sunset; amending K.S.A. 2014 Supp. 66-1256 and 66-1258 and repealing the existing sections, by Committee on Taxation.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Appropriations: **HB 2370**.

Health and Human Services: **HB 2369**.

Judiciary: **HCR 5015**.

## CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2118**, **HB 2239** from Committee on Health and Human Services and referral to Committee on Appropriations.

## COMMUNICATIONS FROM STATE OFFICERS

From Barbara J. Hickert, State Long-Term Care Ombudsman, per K.S.A. 75-7306, Annual Report for State Fiscal year 2015. This report can also be found at [www.kansasombudsmanksgov.com](http://www.kansasombudsmanksgov.com).

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

## CONSENT CALENDAR

No objection was made to **HB 2124** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2124**, AN ACT concerning the uniform commercial code; relating to the exclusion of consumer transactions governed by federal law; amending K.S.A. 84-4a-108 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez,



Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Proehl.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Osterman in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Osterman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2090**, **HB 2094**, **HB 2142** be passed.

Committee report to **HB 2044** be adopted; and the bill be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions** recommends **HB 2258**, **HB 2260** be passed.

Committee on **Financial Institutions** recommends **HB 2259** be amended on page 1, in line 31, by striking "as it" and inserting "that"; in line 32, by striking "itself"; also in line 32, after the period, by inserting "On or before September 30 of each year, the state treasurer shall make the information on the statements available on the state treasurer's internet website."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2106**, **HB 2256** be passed.

Committee on **Local Government** recommends **HB 2163** be amended on page 1, in line 7, before "drainage" by inserting "water district,."; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2177** be amended on page 2, in line 20, after "public." by inserting "Such cleanup plan and any associated documents shall be indexed and posted on the website of the Kansas department of health and environment for at least five years following the no further action determination."; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2238** be amended on page 1, in line 6, by striking "capitol" and inserting "capital";

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

Committee on **Veterans, Military and Homeland Security** recommends **HB 2155** be amended on page 1, in line 7, after "to" by inserting "state"; in line 8, after the first "Kansas" by inserting "army"; in line 15, after the first "to" by inserting "state active";

in line 31, after "to" by inserting "state active"; in line 32, by striking "under honorable conditions" and inserting "from state active duty"; also in line 32, by striking "honorable" and inserting "such person's"; in line 33, by striking ", as provided by the adjutant"; in line 34, by striking "general" and inserting "in a memorandum certified by such person's commanding officer";

On page 2, in line 2, after "to" by inserting "state"; in line 14, after "state" by inserting "active"; in line 43, after the second "to" by inserting "active";

On page 3, in line 6, after "section" by inserting "during the course of an investigation subsequent to a claim as provided in subsection (d)"; in line 7, after "shall" by inserting "place an investigating officer on state active duty orders to"; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2228** be amended on page 1, in line 23, after "guard" by inserting ", Kansas army or air national guard"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2374**, AN ACT concerning financial institutions; pertaining to installment loans, by Committee on Appropriations.

**HB 2375**, AN ACT enacting the gun violence restraining order act, by Committee on Appropriations.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6013**—

by Committee on Local Government

**HR 6013**-- A RESOLUTION honoring Rudolph "Rudy" Camarena for his service to our nation in World War II as one of the heroic men who stormed the beaches at Normandy.

WHEREAS, On June 6, 1944, Rudolph "Rudy" Camarena was a 20-year-old soldier assigned to the 6<sup>th</sup> Engineer Special Brigade that stormed Omaha Beach in the third wave as the invasion of Europe commenced. This invasion was part of Operation Overlord during World War II – the largest amphibious invasion to ever take place; and

WHEREAS, Rudy Camarena was an ammunition bearer on a 35 millimeter air-cooled machine gun and carried two steel boxes – one in each hand. Mr. Camarena also had two belts over his shoulder, weighing about 70 pounds, along with rations, grenades, a couple of belts of ammunition and a rifle. With all of this weight, he stormed the beaches of Normandy. His brigade remained on the coast for two months, building an airfield, a bridge and other structures to aid the flood of additional troops and equipment. He would advance all the way to Germany by the time the war ended; and

WHEREAS, Rudy Camarena traveled to France with his son and daughter, Bill and

Cathy Hadorn, in 2014, to revisit the beach where Mr. Camarena risked his life in service to his country so many years ago. While there, they discovered a monument honoring his division: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That the Kansas House of Representatives honors Rudy Camarena for service to our country. Thank you for protecting us. We know you sacrificed so much for your country, and served to protect the freedom and security of the United States of America; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Claeys.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Rep. Sawyer to replace Rep. Ruiz on Committee on Taxation on February 18.

Also, Rep. Sawyer is appointed to replace Rep. Burroughs on Committee on Elections on February 18.

Also, Rep. Schwartz is appointed to replace Rep. Edmonds on Committee on Legislative Budget effective immediately.

#### **REPORT ON ENGROSSED RESOLUTIONS**

**HCR 5002** reported correctly re-engrossed February 17, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 19, 2015.

# Journal of the House

TWENTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 19, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Rep. Houston was excused on verified illness.

Reps. Goico and Kelley were excused on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Paul E. Barkey, pastor, Ashland Community Church, Manhattan, and guest of Rep. Highland:

Dear God, our Heavenly Father, we are thankful that you have given us another day in which to serve You. May we obey Your charge, "Open your mouth for those who cannot speak, for the rights of the unfortunate. Open your mouth, judge righteously and defend the rights of all the afflicted and needy." Give us a voice for those who cannot speak; the unborn, elderly and infirmed.

Lord you have given us authority and called us as your ministers. Help us to focus on our responsibility to protect our children and youth from false teaching, sexual perversion and those who would do them harm.

Christ stated that it would be better for us to have a heavy millstone tied around our neck and be drowned in the depth of the sea rather than to cause one of His little ones to stumble. Lord, we are prone to stumbling ourselves. Illumine the path for our feet that we may follow you and make the path of righteousness clear for those who follow us.

I bring these petitions to you in the name of my Lord and Savior, Jesus Christ. Amen.

The Pledge of Allegiance was led by Rep. Highland.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Peck are spread upon the Journal:

It is a great pleasure to stand before you today and introduce the Caney Valley High School Girls Golf Team. The athletes standing before you this morning are the 2014 Golf State Champions in class 3A–2A–1A. On October 20, 2014, these young ladies earned the title of “state champions” with a four-person score of 397 – a full 25 strokes ahead of the second place team. The 397 score tied a record for the lowest score at a state tournament in class 3A–2A–1A.

The 2014 championship for the Caney Valley Lady Bullpups – or as we like to say “THE PUPS” – came one year after finishing the 2013 state tournament as runner-up. But in 2014, coach Oyler and our champions would not settle for anything less than a state championship.

Half way through the long Emporia Municipal Golf Course, which on the tournament day had fast greens, the Lady Pups had jumped out to a nine-stroke lead. On the back nine they didn’t let up and increased their lead, for the 25 stoke victory. The state tournament consisted of 12 teams and 89 golfers.

Four of these ladies finished in the top 20. Cortney Gardner finished the tournament with a round of 90, only one stroke out of first place, earning her a second-place, silver metal. Desiree Nelson earned a 10<sup>th</sup> place finish, after she won a playoff hole with two other golfers, with a round of 99. Ashlyn Hefley finished 14<sup>th</sup> shooting a 102, while Kelsey Wyant shot a round of 106 for a 19<sup>th</sup> place tie. The other two golfers, Paige Price and Jayd Bentley finished 25<sup>th</sup> and 34<sup>th</sup> respectively, with scores of 110 and 115.

Joining the team today are Coach Wendy Oyler and assistant coach Ron Oyler. Coach Wendy Oyler received a special honor when she was chosen by her peers as the girls high school golf Coach of the Year.

I congratulate the 2014 class 3A–2A–1A Golf State Champion Caney Valley Lady Bullpups on their accomplishment!

Rep. Peck presented the team with a framed House certificate.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Wilson are spread upon the Journal:

In addition to serving in the Legislature, I work for a national non-profit called the Alliance for a Healthier Generation. Our goal is to reduce the prevalence of childhood obesity in America by improving access to healthy eating and physical activity in the places where young people spend their time, including out-of-school time programs.

Today I am pleased to introduce Kansas Regional Afterschool Ambassadors and a selection of their students representing the French Middle School STEAM afterschool program, Robinson Middle School SWIM afterschool program and Boys & Girls Club of Topeka afterschool programs.

Just 20 percent of a typical student day is spent inside the classroom. Before-school, after- school, and summer programs are designed to support working families by offering their children learning opportunities outside of regular school hours. These programs keep Kansas youth safe, engaged, and learning. Children who attend afterschool programs show higher grades, better school attendance, and improved behavior.

Afterschool programs offer a broad array of services designed to reinforce and complement regular academic studies such as:

- hands-on experiments that excite students about science, technology, engineering, and math,
- promotion of health and wellness, and opportunities for physical activity
- drug and violence prevention programs,
- formal and informal mentoring,
- counseling programs, and
- art, music, and technology education programs.

While more than 70,000 students in Kansas participate in afterschool programs, another 132,000 would participate in a program *if one were available*.

The Kansas Regional Ambassadors are working hard to create and sustain these wonderful out of school opportunities for youth in their communities. I encourage you to reach out to them to learn more.

Now I would like to recognize the following guest on the floor:

Rachel Willis and Marcia Dvorak, of the Kansas Enrichment Network. The Kansas Enrichment Network is a collaboration of agencies and organizations in Kansas helping to build and expand school-based programs to enhance learning opportunities for students, and providing technical assistance to new and established programs.

Jason Geering, Alliance for a Healthier Generation Out-of-School Time Manager for the State of Kansas.

Brandon Hutton, Ambassador to the Boys & Girls Club of Manhattan.

Kathy Vaughn, Director of the Colby Grade School Afterschool Program.

Venita Large and Tehya Bush, students participating in the SWIM program at Robinson Middle School in Topeka.

I would like to thank all the Kansas Regional Ambassadors for their excellent work, and to congratulate all the students on the floor and in the gallery for participating in their local programs.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2376**, AN ACT concerning the emergency medical services board; imposition of fines; investigation authority; issuance of subpoenas; amending K.S.A. 65-6130 and K.S.A. 2014 Supp. 65-6111 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2377**, AN ACT concerning property taxation; providing for a property tax averaging payment plan and a property tax installment payment plan; amending K.S.A. 2014 Supp. 79-2004 and repealing the existing section, by Committee on Taxation.

**HB 2378**, AN ACT concerning schools; establishing the Kansas legislature award for teaching excellence program, by Committee on Appropriations.

**HB 2379**, AN ACT concerning taxation; relating to subtraction modifications, net gain from the sale of business assets; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

**HB 2380**, AN ACT concerning the regional system of cooperating libraries; amending K.S.A. 2014 Supp. 75-2550 and repealing the existing section, by Committee on Federal and State Affairs.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Energy and Environment: **HB 2373**.

Federal and State Affairs: **HB 2371**, **HB 2375**.

Financial Institutions: **HB 2374**.

Taxation: **HB 2372**.

## CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2139** from Committee on Federal and State Affairs and referral to Committee on Education.

Also, the withdrawal of **HB 2243** from Committee on Veterans, Military and Homeland Security and referral to Committee on Appropriations.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2044**, AN ACT concerning motor vehicles; relating to autocycles; definitions; requirements; amending K.S.A. 8-1438 and 8-1594 and K.S.A. 2014 Supp. 8-126, 8-234b, 8-1486 and 8-1598 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Houston, Kelley.

The bill passed, as amended.

**HB 2090**, AN ACT concerning motor vehicles; relating to registration; permanent registration of certain vehicles, annual report; amending K.S.A. 2014 Supp. 8-1,134 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Houston, Kelley.

The bill passed.

**HB 2094**, AN ACT concerning motor vehicles; relating to apportioned fleet registration; mileage applications, fees and calculations; amending K.S.A. 8-1,107 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Dannebohm, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Houston, Kelley.

The bill passed.

**HB 2142**, AN ACT concerning insurance; relating to certain definitions; amending K.S.A. 2014 Supp. 40-2,118 and 40-22a13 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not



voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleebe, Kuether, Lane, Lunn, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Couture-Lovelady, Claeys, Dannebohm, DeGraaf, Esau, Hildabrand, Huebert, K. Jones, Kahrs, Kiegerl, Macheers, McPherson, Peck, Rubin, Scapa, Sutton.

Present but not voting: None.

Absent or not voting: Goico, Houston, Kelley.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Concannon in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Concannon, Committee of the Whole report, as follows, was adopted:

Recommended that **HR 6012** be adopted.

Committee report to **HB 2164** be adopted; and the bill be passed as amended.

Committee report to **HB 2165** be adopted; and the bill be passed as amended.

Committee report to **HB 2156** be adopted; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2231** be passed.

Committee on **Appropriations** recommends **HB 2135** be passed.

Committee on **Children and Seniors** recommends **HB 2170** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2170," as follows:

"Substitute for HOUSE BILL NO. 2170

By Committee on Children and Seniors

"AN ACT concerning schools and school districts; relating to seclusion and restraint of pupils."; and the substitute bill be passed.

(Sub **HB 2170** was thereupon introduced and read by title.)

Committee on **Elections** recommends **HB 2212**, **HB 2215**, be passed.

Committee on **Elections** recommends **HB 2213** be amended on page 1, in line 20, by striking all after "contributions"; in line 21, by striking all before "for"; in line 26, after the period by inserting "Any contributions received for the general election during the

primary election period may not be expended during the primary election period.";

On page 2, in line 1, before "For" by inserting "Except as provided in subsection (a) (4),"; following line 9, by inserting:

"(4) For the office of any county officer whose district population exceeds 75,000, \$2,500 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election.";

Also on page 2, in line 24, by striking "\$15,000" and inserting "\$30,000"; in line 26, by striking "\$5,000" and inserting "\$10,000"; in line 29, by striking "\$25,000" and inserting "\$50,000"; in line 31, by striking "\$10,000" and inserting "\$20,000"; in line 33, by striking "\$5,000" and inserting "\$10,000";

On page 3, in line 5, before "For" by inserting "Except as provided in subsection (g) (4),"; following line 11, by inserting:

"(4) For the office of any county officer whose district population exceeds 75,000, \$2,500 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election."; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2214** be amended on page 1, in line 18, after the period by inserting "If both the chairperson and the vice-chairperson are absent or for any reason are unable or refuse to call such convention, then the state party chairperson shall call the convention and perform the other duties under this section required of such chairperson.";

On page 3, by striking all in lines 24 through 43;

By striking all on page 4;

On page 5, by striking all in lines 1 through 21; in line 22, by striking "and 25-3904 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and 25-3904"; also in line 3, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2281** be passed.

Committee on **Judiciary** recommends **HB 2024** be amended on page 2, in line 24, by striking "available"; also in line 24, after "information" by inserting "presented to the court"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2198** be amended on page 2, by striking all in lines 13 through 35; in line 36, by striking "(3)" and inserting "(f) (1) A person and, if applicable, one or two other persons acting in concert with such person are immune from criminal prosecution for a violation of this section, and any city ordinance or county resolution prohibiting the acts prohibited by this section, if such person:

(A) (i) Initiated contact with law enforcement or emergency medical services and requested medical assistance for themselves because such person reasonably believed such person was in need of medical assistance; and

(ii) cooperated with emergency medical services personnel and law enforcement officers at the scene;

(B) (i) initiated contact with law enforcement or emergency medical services, or was one of one or two other persons who acted in concert with such person, and requested medical assistance for another person who reasonably appeared to be in need of medical assistance;

(ii) provided such person's full name, the name of one or two other persons acting

in concert with such person, if applicable, and any other relevant information requested by law enforcement or emergency medical services;

(iii) remained at the scene with the person who reasonably appeared to be in need of medical assistance until emergency medical services personnel and law enforcement officers arrived; and

(iv) cooperated with emergency medical services personnel and law enforcement officers at the scene; or

(C) (i) was the person who reasonably appeared to be in need of medical assistance as described in subsection (f)(1)(B), but did not initiate contact with law enforcement or emergency medical services; and

(ii) cooperated with emergency medical services personnel and law enforcement officers at the scene.

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

Committee on **Transportation** recommends **HB 2085** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2381**, AN ACT concerning social welfare; Kansas department for children and families; eligibility requirements for assistance; amending K.S.A. 17-2263, 17-5828, 39-709b, 59-1301 and 59-3504 and K.S.A. 2014 Supp. 9-1215, 9-1216, 16-311, 17-2264, 17-5829, 39-702, 39-709, 39-709c, 39-753, 39-756a, 59-2222, 59-2247, 59-2801 and 59-3086 and repealing the existing sections; also repealing K.S.A. 39-7,101, 39-7,106, 39-7,107, 39-7,110 and 75-5364 and K.S.A. 2014 Supp. 39-7,102, 39-7,103, 39-7,104, 39-7,105, 39-7,108, 39-7,109 and 39-7,122, by Committee on Federal and State Affairs.

## **REPORT ON ENGROSSED BILLS**

**HB 2044** reported correctly engrossed February 18, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, February 20, 2015.

# Journal of the House

## TWENTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 20, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 119 members present.

Rep. Houston was excused on verified illness.

Reps. Dannebohm, Goico, Kelley, Powell and Suellentrop were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Everlasting God,  
Thank You for this day and this week  
and Your faithfulness to each one of us.  
In Your Word of wise proverbs we are taught--  
the wise watch their steps and avoid evil;  
the hotheaded do things they'll later regret;  
hard work always pays off;  
the wise accumulate wisdom;  
the mark of a good leader is loyal followers;  
slowness to anger makes for deep understanding;  
diligent work gets a warm commendation.  
So my prayer for these leaders today is that they will  
Be of good courage;  
hold fast that which is good; render to no one evil for evil;  
strengthen the fainthearted; support the weak;  
and honor and respect everyone.  
I humbly pray this knowing You desire this of each of us.  
Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2382**, AN ACT concerning the department of corrections; relating to juveniles in custody; placement; amending K.S.A. 2014 Supp. 38-2366 and repealing the existing section, by Committee on Appropriations.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

- Children and Seniors: **HB 2381**.
- Education: **HB 2378**.
- Federal and State Affairs: **HB 2380**.
- Health and Human Services: **HB 2376**.
- Taxation: **HB 2377, HB 2379**.

**CHANGE OF REFERENCE**

Speaker pro tem Mast announced the withdrawal of **HB 2072** from Committee on Agriculture and Natural Resources Budget and referral to Committee on Appropriations.

Also the withdrawal of **HB 2015, HB 2018** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also the withdrawal of **HB 2202, HB 2315, HB 2362** from Committee on Health and Human Services and referral to Committee on Appropriations.

Also the withdrawal of **HB 2249** from Committee on Insurance and referral to Committee on Appropriations.

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 8, SB 11, SB 14, SB 17, SB 24, SB 36, SB 76, SB 101**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 8, SB 11, SB 14, SB 17, SB 24, SB 36, SB 76, SB 101**.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2156**, AN ACT concerning public water supply storage; amending K.S.A. 2014 Supp. 82a-1604, 82a-1605 and 82a-1606 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster,

Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dannebohm, Goico, Houston, Kelley, Powell, Suellentrop.

The bill passed, as amended.

**HB 2164**, AN ACT concerning sewer districts; amending K.S.A. 19-27a19 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 9; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Corbet, DeGraaf, K. Jones, O'Brien, Peck, Rhoades, Scapa, Whitmer.

Present but not voting: None.

Absent or not voting: Dannebohm, Goico, Houston, Kelley, Powell, Suellentrop.

The bill passed, as amended.

**HB 2165**, AN ACT concerning certain improvement districts; amending K.S.A. 19-2761 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dannebohm, Goico, Houston, Kelley, Powell, Suellentrop.  
The bill passed, as amended.

**HR 6012**, A RESOLUTION endorsing the twenty-sixth anniversary of sister state relations with the Republic of China (Taiwan), Taiwan's participation in the Trans-Pacific Partnership (TPP) and the United Nations Framework Convention on Climate Change (UNFCCC) and Taiwan's participation as an observer in the International Civil Aviation Organization (ICAO), was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dannebohm, Goico, Houston, Kelley, Powell, Suellentrop.

The resolution was adopted.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Couture-Lovelady in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Couture-Lovelady, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2155** be adopted; and the bill be passed as amended.

Committee report to **HB 2053** be adopted; also, on motion of Rep. Rubin be amended on page 2, in line 2, after "convictions" by inserting "for offenses"; in line 9, after "adjudications" by inserting "for offenses";

On page 5, in line 6, after "convictions" by inserting "for offenses"; and the bill be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2305**, **HB 2364** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB**

**2254** be amended on page 1, in line 21, by striking the comma and inserting "or"; in line 22, by striking ", or contract laborer";

On page 2, in line 2 by striking the semicolon and inserting ":

(1) The general contractor, upon request of the attorney general, demonstrates by a preponderance of the evidence all of the following:"; in line 3, by striking "(1)"; in line 11, by striking "does" and inserting "or its agents, employees or representatives do"; in line 30, by striking "notifies" and inserting "notify"; in line 40, by striking "does" and inserting "or its agents, employees or representatives do"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2031** be amended on page 1, in line 12, before "Training" by inserting "Evidence-based"; in line 17, after "thereto" by inserting ", and may be provided to other district employees and volunteers as the district deems appropriate"; in line 18, before "age-appropriate" by inserting "evidence-based,"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2218** be amended on page 1, in line 36, by striking "This section shall not apply to any premises that are, at the time,";

On page 2, in line 1, by striking "open to the public" and inserting "This section shall not apply to any person entering into or remaining in a retail or commercial premises at any time that it is open to the public after having received a personal communication from the owner or manager of such premises not to enter such premises pursuant to K.S.A. 2014 Supp. 21-5808, and amendments thereto, except when such person is entering into or remaining in such premises with the intent to commit a person felony or sexually motivated crime therein"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2336** be amended on page 5, in line 42, after the comma by inserting "or review a risk assessment tool that was administered within the past six months";

On page 7, in line 21, after the second comma by inserting "or review a risk assessment tool that was administered within the past six months"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2337** be amended on page 30, in line 39, after "services" by inserting ", except that adult or juvenile community corrections grant funds may be used for employee compensation and to purchase equipment, supplies and services shared by programs for adult and juvenile offenders if the use by the adult or juvenile program is proportionate to the monetary contribution from the grant";

On page 1, in the title, in line 2, after "elimination;" by inserting "community corrections grant funds;"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2199** be passed.

Committee on **Education** recommends **HB 2174** be amended on page 2, in line 26, after "(c)" by inserting "(1)"; following line 33, by inserting:

"(2) In any calendar year in which a parent submits an application or provides written consent to release information to enter a student into the program, no subsequent modification, adjustment or removal of a school's designation as a title I focus school or a title I priority school shall prohibit an otherwise eligible student from receiving an educational scholarship if such student qualified as an eligible student on the date such application or written consent to release information form was received by



a district or the state department of education.";

On page 4, in line 36, by striking the first "first" and inserting "thirty-first calendar"; in line 37, by striking "first" and inserting "thirty-first calendar"; and the bill be passed as amended.

Committee on **Energy and Environment** recommends **HB 2131** be passed.

Committee on **Federal and State Affairs** recommends **HB 2191**, **HB 2208** be passed.

Committee on **Federal and State Affairs** recommends **HB 2223** be amended on page 1, by striking all in lines 4 through 11; in line 12, by striking "Sec. 2." and inserting "Section 1."; following line 29, by inserting:

"(d) As used in this section:

(1) "Dispense" means to portion out servings of alcoholic liquor for consumption. This term shall include the pouring of drinks of alcoholic liquor and opening original containers of alcoholic liquor by the licensee or licensee's employee for consumption by customers, and shall not include any self-dispensing by a customer.

(2) "Infuse" means to add flavor or scent to a liquid by steeping additional ingredients in the liquid.

(e) This section shall be part of and supplemental to the club and drinking establishment act.";

Also on page 1, by striking all in lines 30 through 36;

On page 2, by striking all in lines 1 through 4;

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2331** be amended on page 4, following line 11, by inserting:

"Sec. 2. K.S.A. 41-2643 is hereby amended to read as follows: 41-2643. (a) A caterer's license shall allow the licensee to offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises, which may be open to the public, but only if such premises are located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, the proposition to amend section 10 of article 15 of the constitution of the state of Kansas at the general election in November, 1986, or (B) have approved a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(b) A caterer shall be required to derive from sales of food at catered events not less than 30% of the caterer's gross receipts from all sales of food and beverages at catered events in a 12-month period unless the caterer offers for sale, sells and serves alcoholic liquor only in counties where the qualified electors of the county:

(1) Have approved, at an election pursuant to K.S.A. 41-2646, and amendments thereto, a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county without a requirement that any portion of their gross receipts be derived from the sale of food; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(c) Each caterer shall maintain the caterer's principal place of business in a county in this state where the caterer is authorized by this section to sell alcoholic liquor by the individual drink in a public place. All records of the caterer relating to the caterer's licensed business and the caterer's license shall be kept at such place of business. The caterer's principal place of business shall be stated in the application for a caterer's license and the caterer shall notify the director of any change in its location within 10 days after such change.

~~(d) A caterer shall notify the director at least 10 days prior to any event at which the caterer will sell alcoholic liquor by the individual drink unless the director waives the 10-day requirement for good cause shown. In addition, prior to the event, the caterer shall notify:~~

~~(1) The police chief of the city where the event will take place, if the event will take place within the corporate limits of a city; or~~

~~(2) the county sheriff of the county where the event will take place, if the event will be outside the corporate limits of any city.~~ A caterer shall provide electronic notification to the director at least 48 hours prior to any event at which the caterer will sell alcoholic liquor by the individual drink. The director shall make the electronic notification available to local law enforcement. Notice shall consist of the time, location and the names of the contracting parties of the event. For events where alcohol is served, a licensee shall retain all documents for a period of three years for inspection by the director. The documents retained shall include agreements, receipts, employees assigned to the event and records of alcohol purchased.

(e) A caterer may rebate a portion of the caterer's receipts from the sale of alcoholic liquor at an event to the person or organization contracting with the caterer to sell alcoholic liquor at such event.";

Also on page 4, in line 12, before "K.S.A." by inserting "K.S.A. 41-2643 and"; also in line 12, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "amending" by inserting "K.S.A. 41-2643 and"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2216** be amended on page 7, in line 14, by striking ", except no licensee"; by striking all in line 15; in line 16, by striking all before the period and by inserting ". A licensee must obtain prior approval from the commissioner to designate an agent that conducts money transmission business through the internet without a physical location in this state"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2119** be amended on page 1, in line 19, by striking "100" and inserting "75"; in line 20, by striking "25" and inserting "12"; in line 21, by striking "20" and inserting "12"; by striking all in lines 23 and 24; in line 25, by striking "25" and inserting "11"; in line 29, by striking all after "(b)"; by striking all in lines 30 and 31; in line 32, by striking all before "If";

On page 2, following line 7, by inserting:

"Sec. 2. K.S.A. 65-4203 is hereby amended to read as follows: 65-4203. (a) *Qualification.* An applicant for a license to practice as a mental health technician shall:

(1) Have graduated from a high school accredited by the appropriate legal accrediting agency or has obtained the equivalent of a high school education, as

determined by the state department of education;

(2) have satisfactorily completed an approved course of mental health technology; and

(3) file with the board a written application for a license.

(b) The board may issue a license to an applicant to practice as a mental health technician who has:

(1) Met the qualifications set forth in subsection (a);

(2) passed a written examination in mental health technology as prescribed ~~and conducted~~ by the board; and

(3) no disqualifying factors under K.S.A. 65-4209, and amendments thereto.

(c) *Licensure examination within 24 months of graduation.* (1) Persons who do not take the licensure examination within 24 months after graduation shall petition the board for permission prior to taking the licensure examination. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination.

(2) Persons who are unsuccessful in passing the licensure examination within 24 months after graduation shall petition the board for permission prior to subsequent attempts. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination a subsequent time. The study plan shall contain subjects related to deficiencies identified on the failed examination profiles.

(d) An application for initial licensure will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

(e) *Refresher course.* Notwithstanding the provisions of subsection (a), an applicant for a license to practice as a mental health technician who has not been licensed to practice as a mental health technician for five years preceding application shall be required to successfully complete a refresher course as defined by the board in rules and regulations.

(f) The board may issue a one-time temporary permit to practice as a mental health technician for a period not to exceed 120 days when a reinstatement application has been made.

(g) *Exempt license.* The board may issue an exempt license to any licensee as defined in rules and regulations who makes written application for such license on a form provided by the board, who remits a fee as established pursuant to K.S.A. 65-4208, and amendments thereto, and who is not regularly engaged in mental health technician practice in Kansas but volunteers mental health technician service or is a charitable health care provider as defined by K.S.A. 75-6102, and amendments thereto. Each exempt licensee shall be subject to all provisions of the mental health technician act, except as otherwise provided in this subsection ~~(e)~~ (g). Each exempt license may be renewed biennially subject to the provisions of this section. The holder of the exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing education for renewal. To convert an exempt license to an active license, the exempt licensee shall meet all the requirements of subsection (b) or K.S.A. 65-4205, and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.

(h) The board may adopt rules and regulations as necessary to administer the mental health technician's licensure act.";

And by renumbering sections accordingly;

Also on page 2, in line 8, after "K.S.A." by inserting "65-4203 and"; also in line 8, by striking "is" and inserting "are";

On page 1, in the title, in line 1, after "K.S.A." by inserting "65-4203 and"; in line 2, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2221** be passed.

Committee on **Local Government** recommends **HB 2162** be amended on page 1, in line 23, after "(c)(1)" by inserting ", except in regard to any public or parochial school"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2197** be amended on page 1, in line 13, by striking "treasurer"; in line 24, by striking "treasurer"; in line 33, by striking "treasurer"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2229** be passed.

Committee on **Transportation** recommends **HB 2103** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 38**, by Representative Peggy Mast, congratulating Johan Montantes in recognition for achievement of Eagle Scout;

**Request No. 39**, by Representative Peggy Mast, congratulating Rafael Garcia in recognition for achievement of Eagle Scout;

**Request No. 40**, by Representative Peggy Mast, congratulating Christian Smith in recognition for achievement of Eagle Scout;

**Request No. 41**, by Representative Peggy Mast, congratulating Lyon County Sheriff's Department in recognition for receiving the AAA Platinum Award;

**Request No. 42**, by Representative Ron Ryckman, Jr., congratulating Abbie Boucher in recognition for achievement of the Girl Scout Gold Award;

**Request No. 43**, by Representative Ron Ryckman, Jr., congratulating Hannah Lovell in recognition for achievement of the Girl Scout Gold Award;

**Request No. 44**, by Representative Louis Ruiz, congratulating Rosedale Middle School, Mr. Droge's 8<sup>th</sup> Grade, in recognition for winning 1<sup>st</sup> Place in KC Healthy Kid's "I AM HERE" photo contest;

**Request No. 45**, by Representative J. R. Claeys, commending Rudolph "Rudy" Camarena for his service to our nation in WW II as one of the heroic men who stormed the Beaches at Normandy;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2383**, AN ACT creating the Kansas charitable raffle act; amending K.S.A. 2014 Supp. 21-6403 and 79-3603 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2384**, AN ACT enacting the rule of law restoration act, by Committee on Federal and State Affairs.

**HB 2385**, AN ACT concerning alcoholic beverages; relating to temporary permits for the Kansas state fair; amending K.S.A. 2014 Supp. 41-2645 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2386**, AN ACT relating to the interstate compact for recognition of emergency personnel licensure, by Committee on Federal and State Affairs.

**HB 2387**, AN ACT concerning emergency medical services; amending K.S.A. 2013 Supp. 65-6112, as amended by section 51 of chapter 131 of the 2014 Session Laws of Kansas, and K.S.A. 2014 Supp. 65-6102, 65-6111, 65-6120, 65-6121, 65-6129b, 65-6129c, 65-6133, 65-6135 and 65-6144 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2388**, AN ACT concerning taxation; relating to sales taxation; exemptions; helping hands humane society, inc.; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2389**, AN ACT concerning income taxation; relating to certain net operating losses; amending K.S.A. 2014 Supp. 79-32,143 and repealing the existing section, by Committee on Taxation.

**HB 2390**, AN ACT concerning the highway advertising control act; amending K.S.A. 2014 Supp. 68-2232, 68-2233 and 68-2234 and repealing the existing sections, by Committee on Taxation.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6014**—

by Representative Hawkins

**HR 6014**-- A RESOLUTION recognizing the 44<sup>th</sup> Wichita Riverfest.

WHEREAS, Originally a one-day event in 1970 to recognize Wichita's centennial, the Wichita River Festival, now known as Riverfest, has grown into the largest community event in Kansas; and

WHEREAS, The nine-day event, which involved more than 200 community partners and 5,000-plus volunteers and attracted 380,000 attendees in 2014, is celebrating its 44<sup>th</sup> Festival from May 29 to June 6, 2015; and

WHEREAS, Riverfest enhances the region's quality of life and creates an economic impact between \$25 and \$30 million annually; and

WHEREAS, 2014 ticket sales made Riverfest the 35<sup>th</sup> largest outdoor event site worldwide, as compiled by Pollstar, and the event has been named one of the top 100 festival destinations in the United States by travel and leisure organizations. Over the years, Riverfest and its lead volunteers have received dozens of industry awards; and

WHEREAS, Wichita Festivals, Inc. is the producing organization of Riverfest and its mission is to create diverse and high-quality community celebrations: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize Riverfest's success as a signature event for generations of area citizens that brings people of all interests and backgrounds together to celebrate all things Wichita with a high-quality, family-friendly, engaging and safe community celebration; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Hawkins.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Rep. Lunn to replace Rep. Suellentrop and Rep. W. Carpenter to replace Rep. Dannebohm on Committee on Commerce, Labor and Economic Development for February 20. Reps. Suellentrop and Dannebohm will resume membership on the committee on February 21,

#### **REPORT ON ENGROSSED BILLS**

**HB 2156, HB 2164, HB 2165** reported correctly engrossed February 19, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 23, 2015.

# Journal of the House

## THIRTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 23, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 117 members present.

Reps. Edmonds and Pauls were excused on verified illness.

Rep. Seiwert was excused on legislative business.

Reps. Concannon, Dannebohm, Kelley, Peck and Sawyer were excused on excused absence by the Speaker.

Prayer by the Rev. Susan Langhauser, pastor, Advent Lutheran Church, Olathe, and guest of Rep. Merrick:

Most Gracious Creator,  
You have brought us safely into this new day –  
A day that we have never seen before,  
and a day that will not come again;  
You have chosen us and set us aside for service  
in the places where we live, work and move.  
You have called us to be lights in dark places,  
and to be good neighbors to all people.  
You have called us to speak out,  
proclaiming your love, justice and mercy.  
We thank you for this privilege of service  
and ask humbly for your wisdom and strength  
So that as we do our work this day,  
we know your presence by our side. Amen.

The Pledge of Allegiance was led by Rep. Bridges.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Schwartz are spread upon the Journal:

During the week of February 21st-28th, the Kansas FFA Association is celebrating 87 years of FFA; chartered in 1928. FFA programs are found in both rural and urban areas of Kansas with FFA members residing in 88 of the 105 counties across Kansas.

Over 87 years, agricultural education, the National FFA Organization and the Kansas

FFA Association have grown and developed with the changing times so as to aid members in continuing to be career ready and successful for a lifetime. Programming continues to be adjusted and developed to remain relevant in today's societal needs by expanding agricultural opportunities encompassing science, business and technology, in addition to production farming.

A quote from the FFA Creed, "I believe in the future of agriculture, with faith born not of words but of deeds-achievements won by the present and past generations of agriculturists; in the promise of better days through better ways, even as the better things we now enjoy have come to us from the struggles of former years".

Fifty-seven years ago my husband, Leo Schwartz, was awarded the first FFA Star Farmer of Kansas Degree. 33 years ago our son, Douglas was recognized as the Regional Star Farmer of America.

Today we welcome the state officer team of the Kansas FFA Association – six students who are all attending Kansas State University with diverse majors ranging from Agronomy, Agricultural Communications and Journalism, Agricultural Economics, Chemistry and Biological Systems Engineering.

President: Taylor Green (Hometown FFA Chapter: Southeast of Saline)

Vice President: Bethany Schifferdecker (Hometown FFA Chapter: Girard)

Secretary: Jeff Hadacheck (Hometown FFA Chapter: Republic County)

Treasurer: Chantelle Simon (Hometown FFA Chapter: Hill City)

Reporter: Kyle Apley (Hometown FFA Chapter: Blue Valley)

Sentinel: Nick Meyer (Hometown FFA Chapter: Marion-Florence)

Please join me in welcoming the 2014-2015 FFA Leadership team.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 36.**

Corrections and Juvenile Justice: **HB 2382.**

Education: **SB 8.**

Federal and State Affairs: **HB 2383, HB 2385, HB 2386, SB 24.**

Health and Human Services: **HB 2387.**

Insurance: **SB 76, SB 101.**

Judiciary: **HB 2384, SB 11, SB 14, SB 17.**

Taxation: **HB 2388, HB 2389.**

Transportation: **HB 2390.**

## MESSAGES FROM THE SENATE

Announcing passage of **SB 52, 55, 72, SB 95.**

## INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 52, SB 55, SB 72, SB 95.**

## CONSENT CALENDAR

No objection was made to **HB 2103** appearing on the Consent Calendar for the first day.



**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2053**, AN ACT concerning crimes, punishment and criminal procedure; relating to calculation of criminal history; correction of sentence; amending K.S.A. 2014 Supp. 21-6810 and 21-6811 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, Dannebohm, Edmonds, Kelley, Pauls, Peck, Sawyer, Seiwert.

The bill passed, as amended.

**HB 2155**, AN ACT concerning militia; relating to reemployment of persons called to duty; amending K.S.A. 48-517 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, Dannebohm, Edmonds, Kelley, Pauls, Peck,

Sawyer, Seiwert.

The bill passed, as amended.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Commerce, Labor and Economic Development** recommends **HB 2267** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2326** be amended on page 1, in line 9, by striking "Sec." and inserting "Section";

On page 12, in line 13, after "after" by inserting "July 1, 2016, and"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2353** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Energy and Environment** recommends **HB 2192, HB 2193** be passed.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Schwab to replace Rep. Dannebohm on Committee on Commerce, Labor and Economic Development on February 23. Rep. Dannebohm will resume his membership on February 24.

Also, Rep. Hildabrand is appointed to replace Rep. Pauls on Committee on Judiciary on February 23. Rep. Pauls will resume her membership on February 24.

Also, Rep. Ruiz is appointed to replace Rep. Sawyer on Committee on Taxation on February 23.

#### **REPORT ON ENGROSSED BILLS**

**HB 2053, HB 2155** reported correctly engrossed February 20, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 24, 2015.

# Journal of the House

## THIRTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 24, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Rep. Pauls was excused on verified illness.

Rep. Seiwert was excused on legislative business.

Reps. Dannebohm, Kelley, Sawyer and Schwartz were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dr. Peter A. Luckey, senior pastor, Plymouth Congregational Church, Lawrence, and guest of Rep. Wilson:

O Gracious God, Spirit of all that is Holy and good, as sunlight streams into these chambers so may your spirit shine into our hearts.

May your Light settle upon us, leading us, guiding us.

You place us in this space and time, this moment in history, to govern with fairness, mindful of how You have placed into our hands the well being of all the people of this great state of Kansas.

Therefore, Grant us the gift of wisdom, that we may discern what is good and noble and just.

May we be mindful of all the men and women who have come before us, of every race and background. Those who have tilled the soil, who made the arduous journey to the frontier, and the native peoples who have called this home for thousands of years. Remind us that their labor and sacrifice made possible the freedom and prosperity we experience today.

Even so, Dear God, we recognize how far we have yet to travel on the road that leads to dignity and justice for all.

Therefore, Along with a discerning mind, grant us the gift of a compassionate heart.

We pray this morning for each and every member of this governing body. We are mindful of the fact that every legislator, regardless of party affiliation, has family and loved ones that we entrust to your care.

For everyone this morning whose heart is weighed down by worry, whether it be the health of a loved one, or grief in their family, or anxiety about the future, the concern of a child or grandchild, may you grant your abiding peace, your peace which goes beyond all human understanding, to all our hearts.

Finally, grant us to the gift of courage. Give us the fortitude and perseverance and stamina to do what we have been sent here to do.

We pray this, as people of grateful hearts, in the name of the God who is above all gods. Amen.

The Pledge of Allegiance was led by Rep. Wilson.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Waymaster are spread upon the Journal:

Throughout our school years, most of us have had teachers that we will never forget, those who will always continue to teach us and have instilled principles that we carry with us today. However occasionally, we are blessed with an educator who was compelled to not only teach us in the classroom, but also to develop our leadership skills and guide us as a devoted advisor in student government. That is why today I want to recognize that educator who was so instrumental in my own personal leadership development, Melinda Cross, and the honor that she recently received.

While at Russell High School, I had the privilege of serving on the Student Council under Mrs. Cross' leadership as a board member and as Vice President my junior year. I also served with her on a state level when I was selected as a supervisor for the Kansas High School Athletics Association's Summer Student Council Leadership Workshop, where Melinda also served as a senior counselor for 20 years now.

Mrs. Cross directed the Student Council for ten years at Russell High School before becoming a foreign language teacher and Student Council Advisor at Hays High School for the last fifteen years. Amber Klaus, the Hays High School's Student Council President says, "Mrs. Cross is a very caring person who takes an interest in our daily concerns. She is passionate about leadership and what her students gain from it."

Martin Straub, principal of Hays High, states, "She is a detailed-oriented person who knows what needs to be done, identifies necessary resources, organizes it and sees the happening through to a successful completion."

Melinda has always exhibited care for her students and sets a pinnacle for leadership. From her own words, "my work with my student council has been a true gift and highlight of my career in education."

It is my pleasure, as a former student, student council leader, and as a close friend, to recognize the 2014-2015 Dr. Earl Reum Kansas Advisor of the Year, Melinda Cross.

Rep. Waymaster presented a framed House certificate to Mrs. Cross.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2391**, AN ACT concerning state employees; relating to classified and unclassified service; longevity bonus payments; leave sharing program; amending K.S.A. 75-5549 and K.S.A. 2014 Supp. 75-2935 and 75-5541 and repealing the existing sections, by Committee on Appropriations.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 52**.

Federal and State Affairs: **SB 95**.

Financial Institutions: **SB 55**.

Transportation: **SB 72**.

**MESSAGE FROM THE GOVERNOR**

February 23, 2015

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 15-03 for your information.

EXECUTIVE ORDER NO. 15-03  
Creating the Social Services Policy Council

SAM BROWNBACK  
*Governor*

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

**COMMUNICATIONS FROM STATE OFFICERS**

From Amy Gilbert, Legislative Coordinator, Kansas Corporation Commission, the 2015 Retail Rate Impact Report.

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

**CONSENT CALENDAR**

No objection was made to **HB 2353** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2103** appearing on the Consent Calendar for the second day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Macheers in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Macheers, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2256, HB 2260, HB 2258** be passed.

On motion of Rep. Osterman, **HB 2154** be amended on page 1, in line 15, by striking "a form DD 214 of the veteran" and inserting "proof of such veteran's military service and honorable discharge or general discharge under honorable conditions"; and the bill be passed as amended.

Committee report to **HB 2109** be adopted; and the bill be passed as amended.

Committee report to **HB 2259** be adopted; and the bill be passed as amended.

Committee report to **HB 2216** be adopted; and the bill be passed as amended.

Committee report to **HB 2096** be adopted; and the bill be passed as amended.

Committee report to **HB 2254** be adopted; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Health and Human Services** recommends **HB 2149** be passed.

Committee on **Health and Human Services** recommends **HB 2225** be amended on page 2, following line 21, by inserting:

"(c) At the top of the first page of the medical retainer agreement, the language shall prominently state in writing, in boldface type and in substantially the following form with all words capitalized:

**NOTICE: THIS MEDICAL RETAINER AGREEMENT DOES NOT CONSTITUTE INSURANCE, IS NOT A MEDICAL PLAN THAT PROVIDES HEALTH INSURANCE COVERAGE FOR PURPOSES OF THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT AND COVERS ONLY LIMITED, ROUTINE HEALTH CARE SERVICES AS DESIGNATED IN THIS AGREEMENT.**

This notice shall be followed by a short, parallel line which shall be initialed by the patient or the patient's legal representative to indicate the patient or patient's legal representative has read the notice statement."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2115** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2115," as follows:

“Substitute for HOUSE BILL NO. 2115

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history classification; aggravated battery, driving under the influence; amending K.S.A. 2014 Supp. 21-6811 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2115** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2159** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2159," as follows:

"Substitute for HOUSE BILL NO. 2159

By Committee on Judiciary

"AN ACT concerning driving; relating to convictions and diversions; expungement of driving under the influence and other driving offenses; amending K.S.A. 2014 Supp. 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2014

Supp. 12-4516b and 21-6614e."; and the substitute bill be passed.  
(Sub **HB 2159** was thereupon introduced and read by title.)

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was thereupon introduced and read by title:

**HB 2392**, AN ACT concerning income taxation; relating to certain modifications of Kansas adjusted gross income relative to passive income; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

### **CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2100** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2054**, **HB 2073**, **HB 2112** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2237** from Committee on Local Government and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2381** from Committee on Children and Seniors and referral to Committee on Commerce, Labor and Economic Development.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Lunn to replace Rep. Kelley on Committee on Energy and Environment on February 25. Rep. Kelley will resume her membership on February 26.

Also, Rep. Ruiz is appointed to replace Rep. Sawyer on Committee on Taxation on February 24, for one day only.

Also, Rep. Curtis is appointed to replace Rep. Frownfelter on Committee on Financial Institutions on February 24, for one day only.

### **REPORT ON ENROLLED RESOLUTIONS**

**HCR 5002** reported correctly enrolled and properly signed on February 24, 2015.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Wednesday, February 25, 2015.

# Journal of the House

THIRTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 25, 2015, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

## LETTER OF RESIGNATION

To: The Honorable Kris Kobach, Secretary of State  
24 February 2015

Effective February 24, 2015, I, J. Basil Dannebohm, hereby resign my position as Representative of the 113<sup>th</sup> District of the Kansas House of Representatives.

J. BASIL DANNEBOHM

The House is temporarily organized with 124 members.

The roll was called with 121 members present.

Rep. Pauls was excused on verified illness.

Rep. Seiwert was excused on legislative business.

Rep. Sawyer was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving God,  
Thank You for the privilege of coming to You today  
to ask that You be with our leaders  
as they face the tough decisions that need to be made.  
Remind them in the heat of decision-making,  
to remain peaceful, optimistic and focused.  
Give them an alert awareness to hear what is really being said;  
confidence and boldness to speak their thoughts and ideas kindly;  
and understanding and empathy to hear the other thoughts.  
Help them to maintain their integrity and accountability.  
All of this isn't easy when emotions are riding high  
and there are major differences of opinions.  
Help them to keep in mind Your word,  
"A gentle response defuses anger,  
but a sharp tongue kindles a temper-fire."  
In Your Name I pray,  
Amen  
(Proverbs 15:1, MSG)



The Pledge of Allegiance was led by Rep. Patton.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. W. Carpenter are spread upon the Journal:

I am here before you today to recognize a great organization and their 26 years of service to our County. I can remember when this program was started... I was about 6, maybe 7 years old... By developing servant leaders through education and example, Leadership Butler provides people with tools and confidence to make their organizations and Butler County a place where we live well and laugh often.

- Primary focus is community leadership development for adults and youth.
- Leadership Butler Adult program began in 1988.
  - 480 Adult Graduates - 89% still live in Kansas - 78% in the Butler County area.
- Youth Program began in 1993.
  - 400 Youth Graduates - harder to track but 30% live in the Butler County area.
  - The Big Brothers Big Sister program in Butler County was started with the help of this youth program.
- Through the Alumni Association they offer opportunities for education on community issues facing Butler County - like coming to Topeka.
- Offer continuing education in leadership development.
- 3 Youth Leadership Butler students have been awarded large scholarships through WSU - they attribute this to their participation in Youth Leadership Butler – (2 - \$45,000) and (1 - \$35,000).
- Help participants of both programs to further their education by offering scholarship recommendations - send out over 40 each year.

As usual, in the many times that I have been to the Well, I could talk for hours but I won't today. Thank you Leadership Butler for making a difference in our community!

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2391**.

Taxation: **HB 2392**.

### MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Hawkins, **HR 6014**, A RESOLUTION recognizing the 44<sup>th</sup> Wichita Riverfest, was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2393**, AN ACT concerning schools; relating to GASB accounting standards; relating to accounting systems; relating to the Kansas uniform financial accounting and reporting act; concerning financial publication requirements; authorizing annual compliance audits; providing penalties for noncompliance; amending K.S.A. 75-1120a and K.S.A. 2014 Supp. 72-8254 and repealing the existing sections, by Committee on Federal and State Affairs.

## CONSENT CALENDAR

No objection was made to **HB 2353** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2103** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2103**, AN ACT designating bridge no. 14(030) on Kansas highway 15 in Clay county as the Clay county Vietnam veterans bridge, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed.

**HB 2096**, AN ACT concerning property owners' associations; amending K.S.A. 2014 Supp. 58-3820 and 58-4617 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 42; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark,

Clayton, Concannon, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Barker, Bollier, Bridges, Burroughs, Carlin, Carmichael, Corbet, Curtis, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hemsley, Henderson, Henry, Hibbard, Highberger, Houston, Huebert, Hutchins, Kiegerl, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Rooker, Ruiz, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed, as amended.

**HB 2109**, AN ACT concerning the Kansas probate code; relating to transfer-on-death deeds; lapsing or vesting of ownership in grantee beneficiary; amending K.S.A. 59-3504 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed, as amended.

**HB 2154**, AN ACT concerning employment; relating to private sector employers; pertaining to certain veterans, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon,

Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed, as amended.

**HB 2216**, AN ACT concerning banks and banking; relating to the Kansas money transmitter act; amending K.S.A. 2014 Supp. 9-508, 9-509, 9-510, 9-513a and 9-513b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 12; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Couture-Lovelady, B. Carpenter, Claeys, Grosserode, Hildabrand, K. Jones, Kahrs, Kelley, Kiegerl, McPherson, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed, as amended.

**HB 2254**, AN ACT concerning roofing contractor registration; relating to exemption of certain general contractors; amending K.S.A. 2014 Supp. 50-6, 122 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 9; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon,

Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Dove, Esau, Grosserode, Hildabrand, Kiegerl, McPherson, Rubin, Schroeder, Ward.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed, as amended.

**HB 2256**, AN ACT concerning the commercial real estate broker lien act; relating to conditions, recording and notice of lien; amending K.S.A. 58-30a03, 58-30a07 and 58-30a09 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed.

**HB 2258**, AN ACT concerning the Kansas mortgage business act, definitions; amending K.S.A. 2014 Supp. 9-2201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell,

Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed.

**HB 2259**, AN ACT concerning municipality indebtedness reporting; relating to deadlines; amending K.S.A. 10-1007a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed, as amended.

**HB 2260**, AN ACT concerning municipal finance; relating to temporary notes for improvements; amending K.S.A. 10-123 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra,

Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pauls, Sawyer, Seiwert.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2061, HB 2104, HB 2231, HB 2281, HB 2364, HB 2106** be passed.

**HB 2228, HB 2085, HB 2131, HB 2192, HB 2193** be passed over and retain a place on the calendar.

Committee report to **HB 2059** be adopted; and the bill be passed as amended.

Committee report to **HB 2163** be adopted; and the bill be passed as amended.

Committee report to **HB 2177** be adopted; and the bill be passed as amended.

Committee report to **HB 2183** be adopted; and the bill be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2278, HB 2329** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2200** be amended on page 1, in line 21, by striking all after "(a)"; by striking all in lines 22 through 24; in line 25, by striking all before the period and inserting "On and after July 1, 2018, and until June 30, 2021, any person qualified to hold a retailer's class B license under the Kansas liquor control act may purchase a valid retailer's class B license from one of the three existing liquor stores in closest proximity to the premises of the person purchasing such license. On and after July 1, 2021, a person qualified to hold a retailer's class B license under the Kansas liquor control act may purchase a valid retailer's class B license from an existing liquor store located in the same county as the premises of the person purchasing such license"; in line 34, after the period by inserting "The transaction between the transferor and transferee providing for the transfer of a license shall provide for the sale of the transferor's inventory of alcoholic liquor to the

transferee. Such sale shall be at the wholesale price of the alcoholic liquor.";

On page 2, in line 7, by striking "\$500" and inserting "\$10,000";

On page 3, in line 1, after "regulations" by inserting "shall be adopted by the secretary on or before July 1, 2016, and";

On page 4, in line 18, by striking all after "services"; by striking all in line 19; in line 20, by striking all before the period;

On page 5, in line 3, by striking all after "merchandise"; by striking all in line 4; in line 5, by striking all before the period; in line 8, by striking all after "premises"; by striking all in line 9; in line 10, by striking all before the period;

On page 7, following line 6, by inserting:

"New Sec. 8. Notwithstanding the provisions of K.S.A. 41-1101, and amendments thereto, a distributor may establish minimum order requirements for deliveries to a retailer based on invoice dollar amount or product case quantity.";

On page 9, in line 38, by striking "licensed retailer" and inserting "liquor store";

On page 10, in line 2, after the period by inserting "If there is no liquor store within a county that makes or intends to make sales for resale as described in this paragraph or if the transfer of a license as provided in this act has eliminated a liquor store that made sales for resale as described in this paragraph and there is no other liquor store in the county that makes or intends to make such sales for resale, the director may authorize a grocery store that is a holder of a class B license to make sales for resale as described in this paragraph.";

Also on page 10, in line 4, before "Charge" by inserting "If the holder of the retailer's class B license is a liquor store,"; in line 19, after "premises" by inserting ", except that a liquor store may sell any other good or service on and after January 1, 2018"; following line 30, by inserting:

"(e) A grocery store holding a retailer's class B license shall provide for the display of wine and spirits in an area of the store which is segregated from other goods offered for sale by the grocery store, in accordance with rules and regulations adopted by the secretary.";

Also on page 10, in line 33, by striking "any person or entity who is"; in line 34, before "issued" by inserting "a liquor store";

On page 11, in line 2, by striking "retail" and inserting "liquor store";

On page 15, in line 11, after the semicolon by inserting "or"; by striking all in lines 12 through 25; in line 26, by striking "(G)" and inserting "(E)"; following line 29, by inserting:

"(2) On and after July 1, 2018:

(A) No retailer's license shall be issued to:

(i) A corporation, if any officer, manager or director thereof, or any natural person owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements; or

(ii) a corporation, if any officer, manager or director thereof, or any natural person owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a natural person owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(a) Has had a license revoked under the provisions of the Kansas liquor control act;  
or



(b) has been convicted of a violation of the Kansas liquor control act.";

Also on page 15, in line 30, by striking "(2)" inserting "(B)"; in line 34, by striking "(3)" and inserting "(C)"; following line 37, by inserting the following:

"(c) No retailer's class B license shall be issued to any person who does not in good faith actually carry on or intend to carry on a bona fide business for the retail sale of alcoholic beverages, and the secretary may revoke any class B license when the licensee fails for a period of 180 days to actively and in good faith engage in the retail business and shall revoke any class B license held by any person who fails to comply with this section. Upon a showing of good cause, the secretary may extend the inactive period an additional 180 days. Upon revocation, any such license shall become available for sale by public auction to persons eligible to hold a class B license in the county of origin. The license shall be sold at public auction by the secretary and the proceeds of the sale shall first be applied to the payment of any enforcement taxes due, and the remainder shall be deposited in the state general fund. The transfer fee shall be due in addition thereto as provided in section 2, and amendments thereto.";

By relettering subsections accordingly;

On page 20, in line 17, by striking "or"; in line 21, by striking "or"; in line 22, by striking "the licensee who" and inserting "a person licensed as a class B retailer which employee is under the age of 21 years to sell, stock or handle alcoholic liquor; or

(5) to permit any employee of a person licensed as a class A retailer which employee";

Also on page 20, in line 25, by striking "who" and inserting "which employee"

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2275** be amended on page 20, in line 22, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2352** be passed.

Committee on **General Government Budget Committee** recommends **HB 2148** be amended on page 1, in line 5, by striking "shall be"; in line 6, by striking "made"; also in line 6, by striking "the committee"; in line 7, by striking "rooms designated pursuant to this act" and inserting "committee rooms"; in line 9, by striking "and" and inserting "shall be"; in line 10, by striking ", in consultation with"; by striking all in line 11; in line 12, by striking "capitol, to be equipped" and inserting "equip these committee rooms"; in line 16, by striking "designated"; in line 18, by striking "committee's"; also in line 18, after "members" by inserting "present at the committee meeting";

On page 2, in line 2, by striking all after "(c)"; by striking all in lines 3 through 9; in line 10, by striking "(d)"; in line 13, after "officer" by inserting ". Committee" does not include any convening of a caucus meeting, event or private function"; in line 14, by striking "any room" and inserting "rooms 112-N, 144-N, 152-S, 346-S and 548-S"; also in line 14, by striking "designated"; in line 15, by striking "by the legislative chief information technology officer"; following line 17, by inserting:

"(d) The provisions of this section shall expire on June 30, 2018."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2016** be passed.

Committee on **Health and Human Services** recommends **HB 2244** be amended on page 1, in line 4, before "Section" by inserting "New"; in line 5, by striking "safe" and inserting "supporting"; in line 6, before "Sec." by inserting "New"; also in line 6, by

striking "safe" and inserting "supporting"; in line 17, before "Sec." by inserting "New";

On page 2, in line 4, after "homes" by inserting ", except that the department for children and families shall conduct a background check on such person similar to background checks conducted on prospective foster parents. Prior to execution of any power of attorney pursuant to this section, the department shall verify in writing that the department has conducted the background check required by this subsection and, based on such background check, found no reason to object to the execution of the power of attorney. The background check required by this subsection shall not be required for an attorney-in fact who is a grandparent, aunt, uncle or adult sibling of the child"; in line 14, after "care" by inserting ", except as otherwise provided in this section,"; by striking all in lines 20 through 43;

By striking all on page 3;

On page 4, by striking all in lines 1 through 10; and inserting the following:

"New Sec. 4. The Kansas judicial council shall create a form of power of attorney to delegate parental or legal authority consistent with the requirements of section 3, and amendments thereto.";

Also on page 4, in line 11, by striking "safe" and inserting "supporting"; in line 12, after "with" by inserting "the power of attorney form created by the Kansas judicial council pursuant to"; in line 15, before "Sec." by inserting "New"; in line 17, by striking "a child protective investigator" and inserting "the Kansas department for children and families"; in line 22, by striking "safe" and inserting "supporting"; in line 23, by striking "safe" and inserting "supporting"; in line 24, before "Sec." by inserting "New"; also in line 24, by striking "safe" and inserting "supporting"; in line 27, after "regulations," by inserting "except as provided in section 3, and amendments thereto,"; in line 30, before "Sec." by inserting "New"; in line 35, by striking "safe" and inserting "supporting"; following line 37, by inserting:

"Sec. 8. K.S.A. 2014 Supp. 38-2223 is hereby amended to read as follows: 38-2223. (a) *Persons making reports.* (1) When any of the following persons has reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsections (b) and (c);

(A) The following persons providing medical care or treatment: Persons licensed to practice the healing arts, dentistry and optometry, persons engaged in postgraduate training programs approved by the state board of healing arts, licensed professional or practical nurses and chief administrative officers of medical care facilities;

(B) the following persons licensed by the state to provide mental health services: Licensed psychologists, licensed masters level psychologists, licensed clinical psychotherapists, licensed social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors and registered alcohol and drug abuse counselors;

(C) teachers, school administrators or other employees of an educational institution which the child is attending and persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child;

(D) firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers, community corrections

officers, case managers appointed under K.S.A. 2014 Supp. 23-3508, and amendments thereto, and mediators appointed under K.S.A. 2014 Supp. 23-3502, and amendments thereto; ~~and~~

(E) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance; and

(F) any attorney-in-fact delegated power regarding the custody and care of a child pursuant to sections 1 through 7, and amendments thereto.

(2) In addition to the reports required under subsection (a)(1), any person who has reason to suspect that a child may be a child in need of care may report the matter as provided in subsection (b) and (c).

(b) *Form of report.* (1) The report may be made orally and shall be followed by a written report if requested. Every report shall contain, if known: The names and addresses of the child and the child's parents or other persons responsible for the child's care; the location of the child if not at the child's residence; the child's gender, race and age; the reasons why the reporter suspects the child may be a child in need of care; if abuse or neglect or sexual abuse is suspected, the nature and extent of the harm to the child, including any evidence of previous harm; and any other information that the reporter believes might be helpful in establishing the cause of the harm and the identity of the persons responsible for the harm.

(2) When reporting a suspicion that a child may be in need of care, the reporter shall disclose protected health information freely and cooperate fully with the secretary and law enforcement throughout the investigation and any subsequent legal process.

(c) *To whom made.* Reports made pursuant to this section shall be made to the secretary, except as follows:

(1) When the Kansas department for children and families is not open for business, reports shall be made to the appropriate law enforcement agency. On the next day that the department is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to K.S.A. 2014 Supp. 38-2226, and amendments thereto. The reports may be made orally or, on request of the secretary, in writing.

(2) Reports of child abuse or neglect occurring in an institution operated by the Kansas department for aging and disability services or the commissioner of juvenile justice shall be made to the attorney general. All other reports of child abuse or neglect by persons employed by or of children of persons employed by the Kansas department for aging and disability services and the Kansas department for children and families shall be made to the appropriate law enforcement agency.

(d) *Death of child.* Any person who is required by this section to report a suspicion that a child is in need of care and who knows of information relating to the death of a child shall immediately notify the coroner as provided by K.S.A. 22a-242, and amendments thereto.

(e) *Violations.* (1) Willful and knowing failure to make a report required by this section is a class B misdemeanor. It is not a defense that another mandatory reporter made a report.

(2) Intentionally preventing or interfering with the making of a report required by this section is a class B misdemeanor.

(3) Any person who willfully and knowingly makes a false report pursuant to this section or makes a report that such person knows lacks factual foundation is guilty of a class B misdemeanor.

(f) *Immunity from liability.* Anyone who, without malice, participates in the making of a report to the secretary or a law enforcement agency relating to a suspicion a child may be a child in need of care or who participates in any activity or investigation relating to the report or who participates in any judicial proceeding resulting from the report shall have immunity from any civil liability that might otherwise be incurred or imposed.

Sec. 9. K.S.A. 2014 Supp. 38-2223 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "safe" and inserting "supporting"; also in line 1, after "act" by inserting "; relating to reporting of child abuse or neglect; amending K.S.A. 2014 Supp. 38-2223 and repealing the existing section"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2282** be amended on page 1, in line 6, by striking "14" and inserting "11"; in line 8, by striking "14" and inserting "11"; following line 9, by inserting:

"(a) "Cannabis" means all parts of all varieties of the plant cannabis sativa L. not exceeding 3% tetrahydrocannabinol by weight.";

Also on page 1, in line 20, by striking "includes" and inserting "means"; in line 22, after the semicolon by inserting "or"; in line 24, by striking "; and"; by striking all in lines 25 and 26; in line 27, by striking all before the period;

On page 2, in line 7, by striking the colon; in line 8, by striking "(1)"; in line 9, by striking "; or"; by striking all in lines 10 and 11; in line 12, by striking all before the period; in line 14, by striking "11" and inserting "9"; in line 21, by striking "11" and inserting "9";

And by redesignating remaining subsections accordingly;

On page 4, in line 22, by striking "14" and inserting "11"; in line 28, by striking "45-415" and inserting "45-215";

On page 5, by striking all in lines 28 through 32; in line 40, by striking "five" and inserting "three";

And by renumbering the remaining paragraphs accordingly;

On page 7, in line 4, by striking "and"; in line 5, after "certificates" by inserting "and such other fees that the department deems reasonably necessary to administer this act"; in line 11, by striking "and"; in line 14, by striking the period and inserting "; and

(D) the following fees shall not exceed:

Hemp preparation center registration certificate application.....	\$5,000
Hemp preparation center registration certificate.....	\$20,000
Testing laboratory registration certificate.....	\$2,000
Individual hemp preparation registration card.....	\$75
Visiting cardholder.....	\$80";

Also on page 7, in line 43, by striking "14" and inserting "11";

On page 8, in line 9, by striking "14" and inserting "11"; in line 15, by striking "12(a)" and inserting "10(a)"; in line 19, by striking "14" and inserting "11"; in line 37, by striking "12(a)" and inserting "10(a)";

On page 9, in line 18, by striking "14" and inserting "11"; in line 21, by striking "14"

and inserting "11"; in line 29, by striking "14" and inserting "11"; in line 33, by striking "14" and inserting "11";

On page 10, by striking all in lines 1 through 24;

On page 12, by striking all in lines 41 through 43;

By striking all on page 13;

On page 14, by striking all in line 1; in line 2, by striking "14" and inserting "11";

And by renumbering sections accordingly;

And the bill be passed as amended.

Committee on **Local Government** recommends **HB 2246** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2394**, AN ACT concerning schools; relating to career technical education awards; amending K.S.A. 2014 Supp. 72-4489 and repealing the existing section, by Committee on Appropriations.

**HB 2395**, AN ACT concerning state building projects; relating to negotiating committees; relating to the alternative procurement; amending K.S.A. 2014 Supp. 75-1253 and 75-37,143 and repealing the existing sections, by Committee on Appropriations.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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### AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2085**, **HB 2192**, **HB 2193** be passed.

Committee report to **HB 2228** be adopted; also, on motion of Rep. Goico be amended on page 1, following line 29, by inserting:

"(c) This section shall be part of and supplemental to chapter 48 of the Kansas Statutes Annotated, and amendments thereto.";

On page 1, in the title, in line 1, after "concerning" by inserting "militia, defense and public safety,"; in line 2, after "fees" by inserting "for military families"; and **HB 2228** be passed as amended.

On motion of Rep. Hoffman, **HB 2131** be amended on page 1, in line 8, by striking "2023" and inserting "2020"; in line 9, by striking ", \$100,000 from"; by striking all in line 10; in line 11, by striking "thereto, and \$100,000" and inserting "and \$200,000"; in line 13, by striking ", except that."; by striking all in lines 14 through 23; in line 24, by

striking all before the period; and **HB 2131** be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2170** be adopted; also, on motion of Rep. Davis be amended on page 3, by striking all in lines 12 through 15;

And by redesignating subsections accordingly;

Also, on motion of Rep. Rooker, **Sub HB 2170** be amended on page 4, in line 28, by striking "the provisions of this act including" and inserting "sections 1 through 4, and amendments thereto. The state board shall also adopt"; in line 29, by striking "regarding:" and inserting "creating an independent complaint process as set out in subsections (a) through (e) which shall be in effect no later than January 1, 2016."; and **Sub HB 2170** be passed as amended.

Committee report to **HB 2063** be adopted; and the bill be passed as amended.

Committee report to **HB 2326** be adopted; also, roll call was demanded on motion of Rep. Boldra to amend on page 1, by striking all in lines 9 through 36;

By striking all on pages 2 through 12 and inserting the following:

"Section 1. K.S.A. 2014 Supp. 72-5413 is hereby amended to read as follows: 72-5413. As used in this act, and ~~in acts amendatory thereof or supplemental amendments~~ thereto:

(a) The term "persons" includes one or more individuals, organizations, associations, corporations, boards, committees, commissions, agencies, or their representatives.

(b) "Board of education" means the state board of education pursuant to its authority under K.S.A. 76-1001a and 76-1101a, and amendments thereto, the board of education of any school district, the board of control of any area vocational-technical school and the board of trustees of any community college.

(c) "Professional employee" means any person employed by a board of education in a position which requires a certificate issued by the state board of education or employed by a board of education in a professional, educational or instructional capacity, but shall not mean any such person who is an administrative employee and, commencing in the 2006-2007 school year, shall not mean any person who is a retirant from school employment of the Kansas public employees retirement system, regardless of whether an agreement between a board of education and an exclusive representative of professional employees that covers terms and conditions of professional service provides to the contrary.

(d) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto; and, in the case of an area vocational-technical school or community college, any person who is employed by the board of control or the board of trustees in an administrative capacity and who is acting in that capacity and who has authority, in the interest of the board of control or the board of trustees, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend a preponderance of such actions, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(e) "Professional employees' organizations" means any one or more organizations, agencies, committees, councils or groups of any kind in which professional employees

participate, and which exist for the purpose, in whole or part, of engaging in professional negotiation with boards of education with respect to the terms and conditions of professional service or for the purpose of professional development or liability protection.

(f) "Representative" means any professional employees' organization or any person it authorizes or designates to act in its behalf or any person a board of education authorizes or designates to act in its behalf.

(g) "Professional negotiation" means meeting, conferring, consulting and discussing in a good faith effort by both parties to reach agreement with respect to the terms and conditions of professional service.

(h) "Mediation" means the effort through interpretation and advice by an impartial third party to assist in reconciling a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation between a board of education or its representatives and representatives of the recognized professional employees' organization.

(i) "Fact-finding" means the investigation by an individual or board of a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation, and the submission of a report by such individual or board to the parties to such dispute which includes a determination of the issues involved, findings of fact regarding such issues, and the recommendation of the fact-finding individual or board for resolution of the dispute.

(j) "Strike" means an action taken for the purpose of coercing a change in the terms and conditions of professional service or the rights, privileges or obligations thereof, through any failure by concerted action with others to report for duty including, but not limited to, any work stoppage, slowdown, or refusal to work.

(k) "Lockout" means action taken by a board of education to provoke interruptions of or prevent the continuity of work normally and usually performed by the professional employees for the purpose of coercing professional employees into relinquishing rights guaranteed by this act and the act of which this section is amendatory.

(l) (1) "Terms and conditions of professional service" means: (A) Salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (B) matters which relate to privileges to be granted the recognized professional employees' organization including, but not limited to, voluntary payroll deductions; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit; reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees'

organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (C) such other matters as the parties mutually agree upon as properly related to professional service including, but not limited to, employment incentive or retention bonuses authorized under K.S.A. 72-8246, and amendments thereto.

(2) Nothing in this act, and amendments thereto, shall authorize any professional employees' organization to be granted the exclusive privilege of access to the use of school or college facilities for meetings, the use of bulletin boards on or about the facility or the use of school or college mail systems.

(3) Nothing in this act, and amendments thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection (1), the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective.

(4) Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a school term consisting of school hours, are not included within the meaning of terms and conditions of professional service and are not subject to professional negotiation.

(m) "Secretary" means the secretary of labor or a designee thereof.

(n) "Statutory declaration of impasse date" means ~~June 1~~ July 31 in the current school year.

(o) "Supplemental contracts" means contracts for employment duties other than those services covered in the principal or primary contract of employment of the professional employee and shall include, but not be limited to, such services as coaching, supervising, directing and assisting extracurricular activities, chaperoning, ticket-taking, lunchroom supervision, and other similar and related activities.

Sec. 2. K.S.A. 72-5423 is hereby amended to read as follows: 72-5423. (a) Nothing in this act, or the act of which this section is amendatory, shall be construed to change or affect any right or duty conferred or imposed by law upon any board of education, except that boards of education are required to comply with this act, and the act of which this section is amendatory, in recognizing professional employees' organizations, and when such an organization is recognized, the board of education and the professional employees' organization shall enter into professional negotiations on request of either party at any time during the school year prior to issuance or renewal of the annual teachers' contracts. Notices to negotiate on new items or to amend an existing contract must be filed on or before ~~February 1~~ March 31 in any school year by either party, such notices shall be in writing and delivered to the chief administrative officer of the board of education or to the representative of the bargaining unit and shall contain in reasonable and understandable detail the purpose of the new or amended items desired.

(b) (1) Upon entering negotiations pursuant to this section, the parties shall negotiate compensation of professional employees. In addition to compensation, each party may select not more than five additional terms and conditions of professional service from the list described in K.S.A. 72-5413(l)(1), and amendments thereto, for



negotiation. All other terms and conditions of professional service described in K.S.A. 72-5413(1)(1), and amendments thereto, shall be deemed permissive topics for negotiation and shall only be negotiated upon the mutual agreement of the parties.

(2) For purposes of this section, the term "compensation" means salary and wages, supplemental contract salaries and pay for overtime.

(3) The provisions of this subsection shall not apply to negotiations between a board of education and a professional employees' organization negotiating for the purpose of reaching their first agreement.

(c) Except as otherwise expressly provided in this subsection, every meeting, conference, consultation and discussion between a professional employees' organization or its representatives and a board of education or its representatives during the course of professional negotiation and every hearing conducted by the secretary under K.S.A. 72-5426, and amendments thereto, for determination of the question of the existence of impasse is subject to the provisions of the Kansas open meetings law, and any amendments or supplements thereto. Meetings, conferences, consultations and discussions held by the secretary under K.S.A. 72-5426, and amendments thereto, for investigation of the question of the existence of impasse, and meetings, conferences, consultations and discussions held during the course of and in connection with, and the meeting required at the conclusion of, impasse resolution proceedings, as provided for in K.S.A. 72-5427 and 72-5428, and amendments to such sections, are specifically made exempt from the provisions of the Kansas open meetings law, and any amendments or supplements thereto.

~~(e)~~ (d) Nothing in this act, or the act of which this section is amendatory, shall be construed to authorize a strike by professional employees.

~~(f)~~ (e) Any agreement lawfully made under the provisions of this act, or the act of which this section is amendatory, may be adopted by reference and made a part of the employment contract between any professional employee of the applicable negotiating unit and a board of education for a period of not to exceed three years.

(f) Those individuals selected by the board of education and the professional employees' organization to conduct negotiations pursuant to this act shall complete training on conducting negotiations each year. The content and format of the training for these individuals shall be determined by the respective party each individual represents in negotiations.

Sec. 3. K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-5413 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 6 and inserting "AN ACT concerning school districts; relating to the professional negotiations act; amending K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-5413 and repealing the existing sections.";

On roll call, the vote was: Yeas 67; Nays 52; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutchins, Jennings, Johnson, D. Jones, Kelly, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Phillips, Proehl, Rooker, Ruiz, Ryckman Sr., Schroeder, Sloan, Smith, Swanson,

Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, Barton, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Corbet, Davis, DeGraaf, Edmonds, Esau, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutton, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Powell, Read, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Bradford, Dove, Pauls, Sawyer, Seiwert.

The motion of Rep. Boldra prevailed and **HB 2326** be passed as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Energy and Environment** recommends **HB 2233** be amended on page 1, in line 29, by striking all after "(a)"; by striking all in lines 30 and 31; in line 32, by striking all before "the" and inserting "In accordance with the requirements of the environmental protection agency's rulemaking pursuant to docket EPA-HQ-OAR-2013-0602, the secretary may develop and submit to the environmental protection agency a state plan for compliance with the regulation of carbon dioxide from any affected or existing electric generating units pursuant to 42 U.S.C. § 7411.";

On page 2, in line 26, by striking "such standards through flexible"; by striking all in line 27; in line 28, by striking all before "that" and inserting "a state plan through regulatory mechanisms that may include administrative regulations, permits, agreements or other flexible regulatory measures"; in line 30, by striking "implement a" and inserting "permit participation in an organized"; also in line 30, by striking "mechanism" and inserting "market"; in line 31, by striking "for the mechanism. The secretary may enter"; by striking all in lines 32 through 42; in line 43, by striking all before the period and inserting ". In order to achieve a mass-based or rate-based goal, nothing in this act shall be construed to prohibit a Kansas utility: (1) With multiple affected units in one or more states from sharing, aggregating or purchasing emissions among such utility's units; or

(2) from sharing, aggregating or purchasing emissions between other Kansas utilities with affected units";

On page 3, in line 1, after the second "any" by inserting "affected or"; also in line 1, after "existing" by inserting "jurisdictional"; in line 3, by striking all after "shall"; by striking all in lines 4 through 7; in line 8 by striking all before "determine" and inserting "conduct a joint investigation with the state corporation commission pursuant to K.S.A. 65-3005 and 66-106, and amendments thereto, and hold a joint hearing pursuant to procedures under K.S.A. 77-501 et seq., and amendments thereto, as applied to the state corporation commission. In establishing any standard of performance or flexible regulatory mechanism pursuant to this section, the secretary and the state corporation commission shall: (1) Exercise the secretary's and commission's respective existing statutory authority over the affected utilities;

(2) determine each utility's re-dispatch options along with the cost of each option;

(3) "; in line 10, by striking "(3)" and inserting "(4)"; also in line 10, by striking "the recommended options maintain" and inserting "any option selected maintains"; by striking all in lines 12 through 23; following line 23, by inserting "(5) issue a joint

final order establishing the compliance goal and defining the regulatory mechanisms for the state plan, which provides a detailed explanation of the joint findings; and

(6) issue a joint interim order within 180 days of initiation of the joint investigation, if necessary to submit a state plan within any deadline imposed by the environmental protection agency. If a joint interim order is issued, it shall establish the compliance goal and define the regulatory mechanisms for the state plan. The secretary shall request an extension upon submission of the state plan.

(e) After issuance of a joint interim order, the secretary shall promulgate and submit a state plan establishing the compliance goal and regulatory mechanisms approved in the joint order. If the findings of a joint final order differ from those of the joint interim order, the secretary shall promulgate and submit modifications to the state plan to the environmental protection agency by the department to incorporate the findings approved in that joint final order.

(f) The secretary shall submit the state plan to the legislature concurrent with the start of the public notice period for the state plan. The state plan will be submitted to the senate committee on utilities and the house of representatives committee on energy and environment committees or other committees designated by the legislative coordinating council for review and approval. If the legislature is not in session when the plan is submitted for review, the legislative coordinating council will designate an alternate joint committee to review the state plan. The committees shall complete their respective reviews within 60 days. The state plan shall be considered approved unless both committees vote to disapprove the plan within the 60-day review period. If a committee votes to disapprove the plan, the committee shall indicate the reasons for such disapproval. The secretary shall make any necessary changes to the proposed state plan and resubmit the plan for approval by the committees. The committees shall each take action to approve or disapprove any resubmitted plan within 30 days of receiving any resubmitted plan or else the plan will be considered approved as submitted.

(g) Notwithstanding approval by the legislature, or by any legislative committee pursuant to subsection (f), of the submission of a state implementation plan to the environmental protection agency, further action by the secretary to implement or enforce the final approved state implementation plan is dependent upon the final adoption of the federal emission guidelines. If the federal emission guidelines are not adopted or are adopted and subsequently suspended, vacated, in whole or in part, or held to not be in accordance with the law, the secretary shall suspend or terminate, as appropriate, further action to implement or enforce the state implementation plan."; also on page 3, in line 24, by striking "(f)" and inserting "(h)"; and the bill be passed as amended.

#### **REPORT ON ENGROSSED BILLS**

**HB 2096, HB 2109, HB 2154, HB 2216, HB 2254, HB 2259** reported correctly engrossed February 24, 2015.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, February 26, 2015.

# Journal of the House

THIRTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 26, 2015, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Rep. Sawyer was excused on excused absence by the Speaker.

Prayer by guest chaplain, Ken Harder, pastor, Emmanuel Mennonite Church, Meade, and guest of Rep. Ryckman, Sr.:

Father in Heaven,

Glory to your Name. We recognize that we wouldn't have anything unless you gave it to us, thank you! Thank you for these men and women in this house. Protect them and their families. Give them wisdom so when they debate the issues they are able to make the right decisions. Give them courage so they won't compromise, give them faithfulness so they won't say one thing and do another. Give them boldness to fear you and not be intimidated, give them sure footedness so they are able to stand on the truth and not waver. Thank you for all the resources you have given to Kansans. These who have been elected to this responsibility are guardians of those resources. Give them a watchful eye so they will avoid waste and fraud and will appropriate funds to that which honors you and benefits the families of this great State. May this house and floor be dedicated to serve you and the people of Kansas. In Jesus' Name. Amen.

The Pledge of Allegiance was led by Rep. Ryckman, Sr.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2395**.

Education: **HB 2393**.

Education Budget: **HB 2394**.

## CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2002**, **HB 2031**, **HB 2095**, **HB**

**2121, HB 2182, HB 2199, HB 2213, HB 2024, HB 2215, HB 2233, HB 2282** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2341, HB 2351** from Committee on Agriculture and Natural Resources and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2058** from Committee on Children and Seniors and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2357** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2358** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2207, HB 2345** from Committee on Education and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2241** from Committee on Insurance and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2129** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2288** from Committee on Pensions and Benefits and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2033** from Committee on Transportation and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2236** from Committee on Local Government and referral to Committee on Taxation.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 7, 28, 29, 34, 46, 47, 56, 62, 106, 108, 109, 117, 214**.

Also, announcing passage of **SB 184**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 7, SB 28, SB 29, SB 34, SB 46, SB 47, SB 56, SB 62, SB 106, SB 108, SB 109, SB 117, SB 184, SB 214**.

#### **CONSENT CALENDAR**

No objection was made to **HB 2353** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

#### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2353**, AN ACT concerning the virtual school act; eliminating reference to nonproficient pupils; amending K.S.A. 2014 Supp. 72-3715 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeyes, Clark, Clayton, Concannon,

Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kelley, Sawyer.

The bill passed.

**HB 2059**, AN ACT concerning water; related to the diversion of water; chief engineer; amending K.S.A. 82a-706b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Lane, Suellentrop, Ward.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2061**, AN ACT concerning agriculture; relating to the Kansas department of agriculture division of conservation; state conservation commission; powers and duties thereof; amending K.S.A. 2014 Supp. 2-1904 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra,

Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Hoffman, Kelley.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2063**, AN ACT concerning water; relating to the public water supply project loan program; amending K.S.A. 65-163d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2085**, AN ACT concerning the Kansas turnpike authority; relating to annual reports; contracts between the secretary of transportation and the authority; director; amending K.S.A. 68-2015 and K.S.A. 2014 Supp. 68-2003, 68-2021 and 68-2021a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2104**, AN ACT concerning elections; relating to filling vacancies of nominees; amending K.S.A. 22a-102, 25-306b and 25-3905 and K.S.A. 2014 Supp. 25-3904 and 25-3904a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 69; Nays 54; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Corbet, Davis, DeGraaf, Dove, Edmonds, Esau, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Powell, Proehl, Read, Rhoades, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcala, Alford, Ballard, Becker, Bollier, Bridges, Bruchman, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Estes, Ewy, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Phillips, Rooker, Rubin, Ruiz, Ryckman Sr., Schroeder, Sloan, Swanson, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

#### EXPLANATION OF VOTE

MR. SPEAKER: Events from the 2014 election cycle justify revisiting the Kansas statutes concerning candidate withdrawal and replacement. I support strengthening the requirement on parties to fill candidate vacancies but candidate withdrawal only because of death is too limiting. I vote no on **HB 2104**. – JAMES TODD



**HB 2106**, AN ACT concerning the Kansas uniform securities act; relating to criminal penalties; fees; amending K.S.A. 17-12a204 and K.S.A. 2014 Supp. 17-12a508 and 17-12a601 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 17-12a601a, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2131**, AN ACT concerning oil and gas; relating to the abandoned oil and gas well fund, extension of transfers; amending K.S.A. 2014 Supp. 55-193 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 18; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Bridges, Couture-Lovelady, B. Carpenter, DeGraaf, Frownfelter, Grosserode, Houser, K. Jones, Kelley, Lunn, McPherson, O'Brien, Peck, Rhoades, Rubin, Sutton, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2163**, AN ACT concerning municipalities; amending K.S.A. 12-2908 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2170**, AN ACT concerning schools and school districts; relating to seclusion and restraint of pupils, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Smith.

Present but not voting: None.

Absent or not voting: Sawyer.

The substitute bill passed, as amended.

**HB 2177**, AN ACT concerning the secretary of health and environment; relating to solid and hazardous waste; voluntary cleanup and property redevelopment act; amending K.S.A. 65-34,167, 65-34,168 and 65-34,169 and repealing the existing sections; also repealing K.S.A. 65-34,170, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2183**, AN ACT concerning campaign finance; relating to political campaigns and technology; amending K.S.A. 2014 Supp. 25-4153a, 25-4156 and 25-4169a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Clayton.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2192**, AN ACT concerning the secretary of health and environment; relating to solid and hazardous waste, Kansas storage tank act; creating the environmental stewardship fund; amending K.S.A. 65-34,119 and K.S.A. 2014 Supp. 65-34,117 and 65-34,131 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 26; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lane, Lusk, Lusker, Mason, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Winn, Wolfe Moore.

Nays: Brunk, Couture-Lovelady, B. Carpenter, Claeys, DeGraaf, Edmonds, Garber, Grosserode, Hedke, Hildabrand, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mast, McPherson, O'Brien, Rhoades, Rubin, Scapa, Sutton, Todd, Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2193**, AN ACT concerning the secretary of health and environment; relating to contamination of the soils and waters of the state; creating the risk management program act, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2228**, AN ACT concerning militia, defense and public safety; military members and veterans; relating to postsecondary educational institutions; tuition and fees for military families; amending K.S.A. 2014 Supp. 76-729 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2231**, AN ACT concerning oil and gas; relating to licensing of well operators, fees; exceptions; amending K.S.A. 2014 Supp. 55-155 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 12; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Bridges, Carlin, Carmichael, Frownfelter, Highberger, Kuether, Lane, Lusk, Ousley, Tietze, Ward, Winn.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2281**, AN ACT concerning the vision care services act; amending K.S.A. 2014 Supp. 40-5906 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2326**, AN ACT concerning school districts; relating to the professional negotiations act; amending K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-5413 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 14; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bradford, Brunk, DeGraaf, Garber, Highland, K. Jones, Macheers, McPherson, Peck, Rhoades, Rubin, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2364**, AN ACT concerning the veterinary training program for rural Kansas; amending K.S.A. 2014 Supp. 76-4,112 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 25; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Proehl, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Brunk, Campbell, B. Carpenter, DeGraaf, Dove, Esau, Grosserode, Hildabrand, Huebert, K. Jones, Kahrs, Kelley, Macheers, Mason, McPherson, Powell, Rhoades, Rubin, Scapa, Suellentrop, Sutton, Todd, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Kleeb in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Kleeb, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2267**, **HB 2352** be passed.

**HB 2004**, **HB 2049** be passed over and retain a place on the calendar.

On motion of Rep. Ward to amend **HB 2149**, Rep. Hawkins requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane. Rep. Ward subsequently withdrew his amendment; and the bill be passed.

Committee report to **HB 2225** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2159** be adopted; and the substitute bill be passed.

Committee report to **HB 2275** be adopted; and the bill be passed as amended.

Committee report to **HB 2336** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2115** be adopted; and the substitute bill be passed.

#### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **HB 2149**, **HB 2267**, **HB 2225**, **Sub HB 2159**, **HB 2275**, **HB 2336**, **HB 2352**, **Sub HB 2115** were advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2149**, AN ACT concerning the Kansas program of medical assistance; relating to donor human breast milk, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2267**, AN ACT concerning alternative project delivery; relating to notice requirements and selection procedure; amending K.S.A. 2014 Supp. 72-6760f, 75-37,143, 75-37,144, 75-37,145, 76-7,131 and 76-7,132 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.



The bill passed.

**HB 2225**, AN ACT concerning medical retainer agreements; providing that such agreements do not constitute insurance, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**Sub HB 2159**, AN ACT concerning driving; relating to convictions and diversions; expungement of driving under the influence and other driving offenses; amending K.S.A. 2014 Supp. 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 12-4516b and 21-6614e, was considered on final action.

On roll call, the vote was: Yeas 71; Nays 52; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bridges, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Doll, Dove, Estes, Ewy, Finch, Finney, Frownfelter, Garber, Goico, Grosserode, Hawkins, Henry, Hibbard, Highberger, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutton, D. Jones, Kelly, Kleeb, Lunn, Mast, McPherson, Merrick, Moxley, O'Brien, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Rhoades, Rooker, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Thimesch, Todd, Vickrey, Waymaster, Wilson.

Nays: Alcalá, Barton, Bollier, Bradford, Bruchman, Brunk, Burroughs, B. Carpenter, Dierks, Edmonds, Esau, Francis, Gallagher, Gonzalez, Hedke, Hemsley, Henderson, Hill, Hineman, Houston, Hutchins, Jennings, Johnson, K. Jones, Kahrs, Kelley, Kiegerl, Kuether, Lane, Lusk, Lusker, Macheers, Mason, Osterman, Peck, Read, Rubin, Ruiz, Scapa, Schroeder, Sutton, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Whitmer, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Sawyer.

The substitute bill passed.

## EXPLANATION OF VOTE

MR. SPEAKER: **Sub HB 2159** does not change Kansas' penalties for DUI. It is also the case that the prosecution would still be able to look back on the expunged diversion or conviction to enhance the severity level and penalties in the case of a subsequent offense. This bill gives a second chance to the individual who learns from a DUI mistake. I believe that a good job is one of the best deterrents to reoffending. Seven years is too long for the person who has learned from his or her mistake to have to wait to move on with a productive life. I vote YES on **Sub HB 2159**. — JACK THIMESCH, STEVE HUEBERT, KYLE HOFFMAN, JOE SEIWERT, TROY L. WAYMASTER, GENE SUELLENTROP, JAN PAULS

**HB 2275**, AN ACT concerning the uniform controlled substances act; relating to substances included in schedules I, II, III and IV; amending K.S.A. 2014 Supp. 65-4105, 65-4107, 65-4109 and 65-4111 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2336**, AN ACT concerning children and minors; relating to juvenile offenders; risk assessment tool; amending K.S.A. 2014 Supp. 38-2361 and 38-2369 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton,

Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2352**, AN ACT concerning financial institutions; relating to branch banking, remote service units; amending K.S.A. 2014 Supp. 9-1111 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**Sub HB 2115**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history classification; aggravated battery, driving under the influence; amending K.S.A. 2014 Supp. 21-6811 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The substitute bill passed.

### REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2383** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2383," as follows:

"Substitute for HOUSE BILL NO. 2383

By Committee on Federal and State Affairs

"AN ACT creating the Kansas charitable bingo and raffle act; amending K.S.A. 2014 Supp. 21-6403, 75-5133, 79-3603, 79-4701, 79-4703, 79-4704, 79-4705, 79-4706, 79-4707, 79-4710, 79-4711, 79-4712a, 79-4713 and 79-4716 and repealing the existing sections; also repealing K.S.A. 79-4708 and K.S.A. 2014 Supp. 79-4701a, 79-4717, 79-4718 and 79-4719."; and the substitute bill be passed.

(Sub **HB 2383** was thereupon introduced and read by title.)

### REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 46**, by Representative Dick Jones, commending Eugene A. Jones, in recognition for supporting the State of Kansas and good governance;

**Request No. 47**, by Representative Fred Patton, congratulating Seaman High School Marching Band; Mr. Cary Stahly, Band Director; Ms. Anna Kennedy, Assistant Director and Mr. Emory Dease, Assistant Director in recognition for winning the Sweepstakes Grand Champion Award at the Valero Alamo Band Competition;

**Request No. 48**, by Representative John L. Ewy, congratulating Larry Berger in recognition for induction into the Inaugural Kansas United States Specialty Sports Association Softball Hall of Fame;

**Request No. 49**, by Representative John L. Ewy, congratulating Stacy Barnes for receiving the Travel Industry Association of Kansas Marketing Award;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2396**, AN ACT concerning property tax; relating to exemptions; providing a ten-year limitation on exemption for property used for renewable energy resources or technologies; amending K.S.A. 2014 Supp. 79-201 and repealing the existing section, by Committee on Taxation.

#### **CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2049** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

#### **MESSAGE FROM THE SENATE**

Announcing adoption of **SCR 1604**.

#### **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, **SCR 1604**, A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2015 regular session of the legislature, was introduced and adopted.

#### **REPORT ON ENGROSSED BILLS**

**HB 2059**, **HB 2163**, **HB 2177**, **HB 2183** reported correctly engrossed February 25, 2015.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6012** reported correctly enrolled and properly signed on February 26, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 4, 2015.

# Journal of the House

THIRTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 4, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 116 members present.

Reps. Anthimides, Concannon and Lane were excused on verified illness.

Reps. Bridges, Hedke, Kelley, Sawyer and Wilson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God in Heaven,  
Thank You for the brief – but needed – break the past few days.  
Hopefully everyone had time to rest up, decompress, chill, and just relax!  
As they have returned to now consider the Senate bills,  
I pray that when they feel rushed, that You will still them.  
When they are frightened, reassure them.  
When people start pushing them, will You lead them?  
When they are confused, enlighten them.  
When they begin to feel the stress, please calm them.  
When they get discouraged, encourage them.  
And when they begin worrying – well, perhaps  
they should be worried – bring comfort  
to them nevertheless.  
This I ask in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Houston.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 46**.

Appropriations: **SB 7**.

Commerce, Labor and Economic Development: **SB 106, SB 108**.

Elections: **SB 28**.

Federal and State Affairs: **SB 62**.

Insurance: **SB 47, SB 117**.

Judiciary: **SB 34, SB 56, SB 184, SB 214**.

Taxation: **HB 2396, SB 29**.

Utilities and Telecommunications: **SB 109**.

### **CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2357** from Committee on Appropriations and rereferral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2118, HB 2121, HB 2362** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2280** from Committee on Taxation and referral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2112** from Committee on Appropriations and rereferral to Committee on Judiciary.

### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 12, SB 13, Sub SB 18, Sub SB 38, SB 43, SB 44, SB 45, SB 51, SB 54, SB 57, SB 58, Sub SB 60, SB 70, SB 73, SB 77, SB 91, SB 93, SB 97, SB 112, SB 113, SB 120, SB 121, SB 124, SB 125, SB 126, SB 127, SB 128, SB 136, SB 142, SB 149, SB 150, SB 154, SB 156, SB 157, SB 159, SB 168, Sub SB 171, SB 180, SB 181, SB 183, SB 188, SB 189, SB 190, SB 197, SB 206, SB 215, SB 227, SB 228, SB 240**.

### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 12, SB 13, Sub SB 18, Sub SB 38, SB 43, SB 44, SB 45, SB 51, SB 54, SB 57, SB 58, Sub SB 60, SB 70, SB 73, SB 77, SB 91, SB 93, SB 97, SB 112, SB 113, SB 120, SB 121, SB 124, SB 125, SB 126, SB 127, SB 128, SB 136, SB 142, SB 149, SB 150, SB 154, SB 156, SB 157, SB 159, SB 168, Sub SB 171, SB 180, SB 181, SB 183, SB 188, SB 189, SB 190, SB 197, SB 206, SB 215, SB 227, SB 228, SB 240**.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2397**, AN ACT enacting the unmanned aerial vehicle regulation and privacy act, by Committee on Federal and State Affairs.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Ruiz to replace Rep. Sawyer on Committee on Taxation on Wednesday, March 4.

Also, the appointment of Rep. Ousley to replace Rep. Bridges on Committee on Education on Wednesday and Thursday, March 4 and 5.

Also, the appointment of Rep. Carlin to replace Rep. Lane on Committee on General Government Budget on Wednesday and Thursday, March 4 and 5.

Also, the appointment of Rep. Alcalá to replace Rep. Wilson on Committee on Federal and State Affairs on Thursday, March 5.

Also, the appointment of Rep. Tietze to replace Rep. Bridges on Committee on Taxation on Wednesday, March 4.

#### **BILLS STRICKEN FROM CALENDAR**

In accordance with House Rule 1507, the following bills were stricken from the calendar for March 4, 2015: **HB 2004, HB 2016, HB 2017, HB 2022, HB 2030, HB 2032, HB 2034, HB 2040, HB 2050, HB 2052, HB 2069, HB 2082, HB 2083, HB 2093, HB 2098, HB 2107, HB 2108, HB 2119, HB 2120, HB 2148, HB 2162, HB 2184, HB 2185, HB 2198, HB 2212, HB 2214, HB 2218, HB 2221, HB 2229, HB 2238, HB 2244, HB 2278, HB 2329, HB 2337.**

#### **REPORT ON ENGROSSED BILLS**

**HB 2063, HB 2131, Sub HB 2170, HB 2225, HB 2228, HB 2275, HB 2326, HB 2336** reported correctly engrossed February 26, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 5, 2015.



# Journal of the House

## THIRTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 5, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 111 members present.

Reps. Anthimides, Bridges, Concannon, Lane and Rubin were excused on verified illness.

Reps. Hedke, Hildabrand, Kelley, Kuether, Peck, Powell, Sawyer and Wilson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
Thank You for this day and the privileges  
and responsibilities that it offers to all of us.  
Yesterday, over forty bills from the Senate  
were read in and have been sent to committees  
for discussion and contest.  
Some will require little or no debate  
while others are anticipated to bring much heated debate.  
The committee rooms will no doubt be packed with  
people advocating on both sides of the vote.  
As our leaders seek wisdom and direction  
there will be many voices clamoring for their attention.  
The voices of lobbyists, party members and constituents  
may come through like a mighty wind,  
shaking earthquake or burning fire.  
But it is the gentle whisper of Your voice and wisdom  
that I pray they will hear and respond to accordingly.  
Lord, I come to you on behalf of  
Representative Ballard whose sister is very ill  
and has been placed in hospice.  
Be with the family during this time.  
Bring peace to them and comfort  
and healing to her sister.  
I pray this in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Campbell.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2398**, AN ACT concerning a presidential preference primary; amending K.S.A. 2014 Supp. 25-4501 and repealing the existing section, by Committee on Federal and State Affairs.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 97, SB 120, SB 124, SB 125, SB 156, SB 189.**

Commerce, Labor and Economic Development: **SB 154.**

Corrections and Juvenile Justice: **SB 12, SB 13.**

Education: **Sub SB 60, SB 70, SB 93, SB 136, SB 188.**

Elections: **SB 77, Sub SB 171.**

Energy and Environment: **SB 91, SB 227.**

Federal and State Affairs: **HB 2397, SB 45.**

Financial Institutions: **SB 240.**

Health and Human Services: **SB 121, SB 142, SB 180, SB 181.**

Insurance: **SB 54.**

Judiciary: **Sub SB 18, Sub SB 38, SB 44, SB 51, SB 57, SB 58, SB 112, SB 113, SB 128, SB 149, SB 157, SB 159, SB 183, SB 197, SB 206.**

Pensions and Benefits: **SB 168, SB 228.**

Transportation: **SB 43, SB 73, SB 126, SB 127, SB 150, SB 190, SB 215.**

## CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2237** from Committee on Appropriations and referral to Committee on Commerce, Labor and Economic Development.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 50**, by Representative Jarrod Ousley, congratulating Darian Dozier in recognition for achievement of the 2015 Girl Scout Gold Award;

**Request No. 51**, by Representative Sue Boldra, congratulating Trey Lumpkins in recognition for achievement of Eagle Scout;

**Request No. 52**, by Representative Travis Courture-Lovelady, commending the volunteers of Kansas in recognition for their fortitude to meet challenges and accomplish goals; celebrating Kansas Volunteer Week, April 12-18, 2015 and Kansas' rise to fourth in the nation for volunteerism in 2014;

**Request No. 53**, by Representative Virgil Peck, congratulating Harold and Jerry Brickens in recognition of their 70<sup>th</sup> wedding anniversary;

**Request No. 54**, by Representative Peggy Mast, congratulating Tambour Bieker in recognition for achievement of Eagle Scout;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2399**, AN ACT concerning sales and compensating tax; relating to rates; amending K.S.A. 2014 Supp. 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

**HB 2400**, AN ACT repealing the local ad valorem tax reduction fund and authorization for transfers and payments thereto; amending K.S.A. 65-163j, 65-3306, 65-3327 and 79-2965 and K.S.A. 2014 Supp. 74-8768, 75-2556 and 79-1479 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961 and 79-2962 and K.S.A. 2014 Supp. 79-2959, by Committee on Taxation.

**HB 2401**, AN ACT concerning taxation; relating to excise taxes, ethanol production, electricity generated from renewable resources, by Committee on Taxation.

**HB 2402**, AN ACT concerning STAR bonds; relating to definitions, STAR bond projects; bonds, pledge of tax increment revenue; tax abatements or revenues, limitations; distribution of sales tax revenues from within STAR bond district; creating the department of commerce STAR bond administration fund and the department of revenue STAR bond administration fund; amending K.S.A. 2014 Supp. 12-17,162, 12-17,169, 12-17,177 and 79-3620 and repealing the existing sections, by Committee on Taxation.

## COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. W. Carpenter to replace former Rep. Dannebohm on Committee on Commerce, Labor and Economic Development effective immediately.

Also, Rep. W. Carpenter will retain his membership on Committee on Transportation until former Rep. Dannebohm's replacement is named.

On motion of Rep. Vickrey, the House recessed until 4:30 p.m..

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## AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2403**, AN ACT concerning school districts; relating to school finance; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning

assuring student success act; amending K.S.A. 12-1677, 12-1775a, 72-1414, 72-6622, 72-6757, 72-8190, 72-8230, 72-8233, 72-8236, 72-8309, 72-8908, 79-2001 and 79-5105 and K.S.A. 2014 Supp. 10-1116a, 12-1770a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1923, 72-3607, 72-3711, 72-3712, 72-3715, 72-5333b, 72-6434, 72-6460, 72-64b01, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-67,115, 72-7535, 72-8187, 72-8237, 72-8249, 72-8250, 72-8251, 72-8302, 72-8316, 72-8415b, 72-8804, 72-8814, as amended by section 54 of 2015 House Substitute for Senate Bill No. 4, 72-9509, 72-9609, 72-99a02, 74-32,141, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213 and 79-2925b and repealing the existing sections; also repealing K.S.A. 72-6406, 72-6408, 72-6411, 72-6415, 72-6418, 72-6419, 72-6424, 72-6427, 72-6429, 72-6432, 72-6436, 72-6437, 72-6444, 72-6446 and 72-6447 and K.S.A. 2014 Supp. 46-3401, 46-3402, 72-3716, 72-6405, 72-6407, 72-6409, 72-6410, 72-6412, 72-6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-6416, 72-6417, 72-6420, 72-6421, 72-6423, 72-6425, 72-6426, 72-6428, 72-6430, 72-6431, 72-6433, 72-6433d, 72-6434, as amended by section 38 of this act, 72-6434b, 72-6435, 72-6438, 72-6439, 72-6439a, 72-6441, 72-6441a, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-6449, 72-6450, 72-6451, 72-6452, 72-6453, 72-6455, 72-6456, 72-6457, 72-6458, 72-6460, as amended by section 39 of this act, 72-6461, 72-8801a, 72-8814, as amended by section 63 of this act, 72-8814b, 72-8815 and 79-213f, by Committee on Appropriations.

#### **CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2351** from Committee on Appropriations and rereferral to Committee on Agriculture and Natural Resources.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6014** reported correctly enrolled and properly signed on March 05, 2015.

On motion of Rep. Couture-Lovelady the House adjourned pro forma until 8:00 a.m., Friday, March 6, 2015.

# Journal of the House

THIRTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 6, 2015, 8:00 a.m.

The House met session pro forma pursuant to adjournment with Rep. Barker in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2403**.

Elections: **HB 2398**.

Taxation: **HB 2399, HB 2400, HB 2401, HB 2402**.

## CHANGE OF REFERENCE

Rep. Barker announced the withdrawal of **HB 2249** from Committee on Appropriations and rereferral to Committee on Insurance.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, March 9, 2015.

# Journal of the House

THIRTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 9, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 118 members present.

Rep. Lane was excused on verified illness.

Reps. Edmonds, Kelley, Ruiz, Sawyer and Schwab were excused on excused absence by the Speaker.

Prayer by the Rev. Michael John Schmidt, pastor, First Lutheran Church, Plainville, and guest of Rep. Couture-Lovelady:

In the Name of the Father and of the Son and of the Holy Spirit! AMEN

Almighty God, from You comes all rule and authority over the nations of the world for the punishment of evildoers and for the praise of those who do well. Graciously regard these your servants of the Kansas House of Representatives, who make, administer, and judge the laws of this state. Grant that all who receive the sword as Your servants may bear it according to Your command. Lead them to protect life from conception to natural death. Guide them to make decisions that will benefit all citizens of this state. And in all matters of deliberation, give them open ears and understanding hearts.

Enlighten and defend these your servants and grant them wisdom and understanding that under their peaceable governance Your people may be guarded and directed in righteousness, quietness, and unity. Protect and prolong their lives that we with them may show forth the praise of Your name.

We also pray that you would grant the citizens of this state wisdom and patience, that we may honor those whom You have set over us as your servants, praying that in all things Your will would be done; through Jesus Christ, our Lord. AMEN.

The Pledge of Allegiance was led by Rep. Finch.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Schwartz are spread upon the Journal:

Today, I would like to recognize two people who have given more than a combined 40 years of their lives to the service of Kansas agriculture and the farmers and ranchers of the state of Kansas – Dee Likes for his 30 years of service as CEO of the Kansas Livestock Association and Steve Baccus for his 12 years of service as President of the Kansas Farm Bureau.

Dee Likes has served the Kansas Livestock Association since 1976 and became CEO in 1984. Key state legislative victories under Dee’s leadership include:

- Adoption of use-value appraisal for calculating property taxes on agricultural land;
- Exemption of farm machinery, replacement parts and labor from sales tax; and
- Removal of farm machinery and livestock from the property tax rolls.

At the national level, Dee played a part in helping create the national \$1.00-per-head beef check-off in 1985 and worked behind the scenes during the 1996 merger between the National Cattlemen’s Association and the Beef Industry Council of the National Live Stock and Meat Board. The merger was the beginning of NCBA, an organization that has helped unify the beef industry and move it forward. The state of Kansas has benefited from Dee’s passion, commitment and leadership.

Steve Baccus has been president of Kansas Farm Bureau for 12 years; served on the Kansas Farm Bureau of directors for 17 years; currently serves on the board of directors for the American Farm Bureau board of directors; and is Chairman of the Farm Bureau Mutual company board.

One of his great accomplishments was the work done to achieve a workable and effective crop insurance program for Kansas farmers. The crop insurance program has been key to providing a safety net for family farms, especially in light of the recent droughts that plagued much of the state.

Steve revived a focus on consumer education to offer credible – farmer based – perspectives on where food comes from. (It’s interesting to note that years ago, much younger Steve Baccus was featured on “A Day on A Farm in Kansas” – the original episode was produced on Baccus Farms, featuring Steve talking about what farmers do to educate others about how their food is produced.)

In addition, Steve brought Kansas’ diverse commodity and Ag organizations together to coordinate resources and efforts on consumer promotion and education through the Kansas Farm Food Connection.

Please assist me in thanking these two Kansans for their work in promoting Agriculture in Kansas.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Doll are spread upon the Journal:

Dianna Deniston of Garden City, USD #457, was named the 2015 Janet Sims Teacher of the Year by the Kansas Foundation for Agriculture in the Classroom. She was

presented this award at the Bookmark Art and Teacher of the Year Celebration this morning.

Dianna is the Instructional Math coach at Victor Ornelas Elementary School. She won this award for integrating agriculture into the elementary school in an idea that eventually became "Ag Math Harvest Day." She invited local farmers and ag-business owners to come to their school and provide the kids with a "Day on the Farm." There were presentations ranging from farm equipment to animal husbandry and each presentation incorporated math, giving the kids a chance to apply their mathematical knowledge to everyday farm life.

In attendance today with Dianna are members of her family, Challie Metzger, Dylan Metzger, McKenzie Metzger, Drew Metzger and Drake Metzger.

### COMMUNICATIONS FROM STATE OFFICERS

From Randy Peterson, Chair, and Michael Randol, Director of DHCF, Kansas Department of Health and Environment, Division of Health Care Finance, 2015 Report from the Health Care Access Improvement Panel.

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

### REPORTS OF STANDING COMMITTEES

**Education Budget Committee** recommends **HB 2394** be amended on page 1, in line 20, by striking "\$250 plus the cost of"; by striking all in line 21; in line 22, by striking "assessment" and inserting "\$1,000"; in line 23, after the first period by inserting "If the amount of moneys to be awarded to such school districts exceeds the amount of moneys appropriated to the career technical education incentive program, the board of regents shall prorate the available moneys."; in line 24, by striking all after the period; in line 25, by striking all before "Such"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2007** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2007," as follows:

"Substitute for HOUSE BILL NO. 2007

By Committee on Federal and State Affairs

"AN ACT concerning law enforcement; creating a law enforcement mutual aid region for critical incidents."; and the substitute bill be passed.

(**Sub HB 2007** was thereupon introduced and read by title.)

### COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Curtis to replace Rep. Ruiz on Committee on Commerce, Labor and Economic Development on Monday, March 9.

Also, the appointment of Rep. Wolfe Moore to replace Rep. Sawyer on Committee on Elections on Monday, March 9.

Also, the appointment of Rep. Lusk to replace Rep. Sawyer on Committee on Taxation on Monday, March 9.



On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, March 10, 2015.

# Journal of the House

## THIRTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 10, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 118 members present.

Reps. Bridges, Lane and Tietze were excused on verified illness.

Rep. Rhoades was excused on legislative business.

Reps. Sawyer and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Eternal God,  
Thank You for this day.  
Help us to make the most of it and not fail to  
be thankful for such a beautiful Spring day.  
As our nation turns their interest to  
conference tournament games this week,  
I am reminded of an athlete's prayer  
that very well could be prayed for these legislators.  
So I pray this prayer to You for them today:  
"God, let me play well but fairly.  
Help me to learn something that matters  
once the session is over.  
Let opposition make me strong but never hostile.  
Always let me help my opponent up.  
Never catch me rejoicing in the adversity of others.  
If I know victory, allow me to be happy;  
if I am denied, keep me from envy.  
If through *the legislature* I set an example,  
let it be a good one."  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Lusker.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Hill are spread upon the

Journal:

Today we once again have the opportunity to recognize Kansas Small Business Development Center's emerging and existing 2015 businesses of the year. These sixteen businesses represent economic vitality and human vibrancy and growth potential in the communities they serve. These businesses have achieved major accomplishments: established growing businesses, demonstrated vision, problem solving and exemplary corporate citizenship. Entrepreneurship is one of the most powerful drivers of growth and prosperity in our Kansas economy. It is the primary source of job creation and economic competitiveness. Challenging economic times have proven to be good times to launch a new business. Last year our Small Business Development Centers helped more than 11,500 small business owners, decision makers, entrepreneurs and aspiring business owners reach their goals through effective one-on-one consulting at no cost to the business as well as low-cost, high-impact training and vital requests for resources and information. It is the priority of KSBDC to reach as many potential entrepreneurs as possible and provide tools and services for Kansans in all parts of the state. We are pleased today to acknowledge the entrepreneurial spirit and energy represented by those we recognize today and thank them for the examples they provide as a source of encouragement and optimism.

I would like to recognize the 2015 SBDC existing businesses of the year – from Garden City, Garden City Propane LLC (Dennis and Risa DeVaney) , from Bird City, GS Gas Inc. (Karen Horenek) - from Wichita, Leading Edge Aerospace (Stan Unruh) - from Topeka, The Merchant (Lisa Boyd) – from Burns, The Walter's Farm (Becky and Carroll Walters) – from the Kansas City area, McDonald Marketing (Brad McDonald) – from Overland Park, Enhanced HomeCare, LLC (Randy Block and Cindy Singer – from Chanute, Advanced Systems Homes, Inc. ( Stanley, Daren and Scott Luebbering)

And now the emerging businesses of the year: from Liberal, Women's Specialists of Liberal PA (Dr. Lamberto Flores) - from Smith Center, Kingsbury Service (Marty and Rhett Kingsbury) — from Winfield, ReJuvv' Spa (Tracie Gordon) – from Manhattan, Kansas Regenerative Medicine Center LLC (Ken Woods and John Farley) – from Emporia, Flint Hills Music (Thomas Silkman) – from Lawrence, Cat Clinic of Lawrence (Dr. Jennifer O'Driscoll – from Lenexa, Velo -- Maps Coffee (Vincent Rodriguez) – from Garnett, Art in Iron (Mike Hill)

This afternoon these businesses will be honored at an event in the second floor rotunda at 5PM. I invite you all to join us for that opportunity.

The Kansas House of Representatives is pleased to welcome, thank and congratulate these honored guests today!

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2404**, AN ACT concerning taxation; relating to countywide retailers' sales tax; property tax; allowing counties to eliminate county portion of property tax and replace revenues with increased sales taxes; amending K.S.A. 2014 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Taxation.

**CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2095, HB 2253** from Committee on Appropriations and rereferral to Committee on Pensions and Benefits.

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 6, SB 244, SB 247**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 6, SB 244, SB 247**.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture and Natural Resources** recommends **SB 46** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Elections** recommends **SB 28** be passed.

Committee on **Judiciary** recommends **HB 2151** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2151," as follows:

"Substitute for HOUSE BILL NO. 2151

By Committee on Judiciary

"AN ACT concerning grand juries; summoning; jury instructions; witnesses; amending K.S.A. 2014 Supp. 22-3001 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2151** was thereupon introduced and read by title.)

**COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Alcalá to replace Rep. Tietze on Committee on Commerce, Labor and Economic Development on Tuesday, March 10.

Also, Rep. Carmichael to replace Rep. Bridges on Committee on Education on Tuesday, March 10.

Also, Rep. Ruiz to replace Rep. Bridges on Committee on Taxation on Tuesday, March 10.

Also, Rep. Whipple to replace Rep. Carmichael on Committee on Energy and Environment on Wednesday, March 11.

Also, Rep. Ruiz to replace Rep. Bridges on Committee on Taxation on Thursday, March 12.

Also, Rep. Burroughs to replace Rep. Bridges on Committee on Education on Thursday, March 12.

Also, Rep. Curtis to replace Rep. Ruiz on Committee on Commerce, Labor and Economic Development on Wednesday, March 11.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 11, 2015.

# Journal of the House

## THIRTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 11, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Rep. Bridges was excused on verified illness.

Reps. Burroughs, Goico, Ruiz and Todd were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear Lord,

For this beautiful day and the privilege we have  
to live and enjoy it, we thank You.

It's decision time – both in the basketball arena  
and here in the House arena.

Like some teams, some bills and resolutions  
will hit the floor with a thud,

others will hit the floor with a good fight.

Some bills will be approved by one or two votes,  
others will win by a slam dunk.

Some bills will foul out, some won't miss a shot.

Some will have a strong defense,  
others a strong offense.

What is really important and what will make THE difference,  
is that those voting on the bill will play fair and with good sportsmanship,  
and work together for a win/win outcome for all Kansans.

In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Gallagher.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **SB 6**.

Local Government: **SB 244, SB 247**.

Taxation: **HB 2404**.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Jennings, **HR 6015**, by Reps Hineman, Doll and Jennings, as follows, was introduced and adopted:

**HR 6015**— A RESOLUTION congratulating and commending Garden City Community College for being named College of the Year for 2014 by the Rural Community College Alliance.

WHEREAS, Garden City Community College, Garden City, Kansas, has been honored as College of the Year for 2014 by the Rural Community College Alliance. Rural Community College Alliance serves as the voice and the national organization for the nation's 600 rural community and technical colleges. At the recognition ceremony for Garden City Community College, which was held on February 11, 2015, in the U.S. Department of Agriculture building in Washington D.C., U.S. Senator Pat Roberts and U.S. Representative Tim Huelskamp presented the award to Dr. Herbert Swender, President of Garden City Community College; and

WHEREAS, Garden City Community College was selected as the rural college of the year due to its excellence in economic and workforce development, student achievement, financial management, entrepreneurship, student services and impact to the community. In addition, the award was given in honor of Garden City Community College's contribution toward the Pell Grant studies for Kansas and rural America. This is the first study conducted that measured the impact of Pell Grants in rural America; and

WHEREAS, Garden City Community College was established in 1919 and is the longest- serving community college in Kansas. It experienced the largest enrollment increase in Kansas for community colleges in 2014 with a 7% increase; and

WHEREAS, Garden City Community College has earned many accolades over the past three years. It was named to Aspen Institute's top 10% of community colleges in America for 2015, ranked among the top 24 community colleges in the nation by CNN Money Magazine, named "Military Friendly" in 2014 by Military Advanced Education for the third year in a row and was ranked 13<sup>th</sup> by affordablecolleges.com in its list of the 50 most affordable community colleges in America: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* We congratulate and commend Garden City Community College for being named College of the Year for 2014 by the Rural Community College Alliance. Garden City Community College serves as an example and a model to rural colleges across the United States for its excellence in all areas of operation; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Hineman.

Rep. Jennings introduced Dr. Herbert Swender (Garden City), Dr. Lesta Swender (Chanute), Debra Atkinson (Garden City), Patrick Swender (Chanute), Dr. Joel Erskin (Garden City), Tori Dryer (Garden City), and Melvin Neufeld (Garden City) to the members of the House.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Finney, **HR 6016**, by Rep. Finney, as follows, was introduced and adopted:

**HR 6016**—A RESOLUTION designating March 11, 2015, as Kansas Lupus Awareness Day.

WHEREAS, Lupus is an acute and chronic autoimmune disease in which the immune system effectively loses its way and, instead of warding off foreign invaders like viruses and bacteria, the immune system attacks healthy cells, causing inflammation and pain and leading to permanent damage; and

WHEREAS, Lupus can affect any part of the body, including the skin, lungs, heart, kidneys and brain; causing seizures, strokes, heart attacks, miscarriages and organ failure; and

WHEREAS, Lupus has no cure or known cause and despite the current treatment and available medications, many lupus patients have symptoms that cannot be managed well enough for patients to lead normal lives, complete their education and maintain employment; and

WHEREAS, Nine out of 10 people with lupus are women, and 80% of new cases are diagnosed among women between 15 and 44 years of age, with a majority of new cases seen in women in their late teens and early 20s; and

WHEREAS, Despite striking mostly women of childbearing age, no one is safe from lupus. African-Americans, Hispanics, Asians and Native Americans are two to three times more likely to develop lupus – a disparity that remains unexplained; and

WHEREAS, Lupus can be particularly difficult to diagnose because its symptoms are similar to those of many other illnesses, and major gaps exist in understanding the causes and consequences of lupus. Symptoms, such as fatigue, skin rashes, joint pain and hair loss mimic other conditions and appear differently in different people. More than half of all people with lupus take four or more years and visit three or more doctors before obtaining a correct diagnosis since there is no single test to diagnose lupus; and

WHEREAS, A late diagnosis of lupus contributes to significant disability and death. If left untreated, the health consequences of lupus can be devastating and potentially fatal. People with lupus suffer tremendous emotional and physical pain, one in four are permanently disabled and thousands die each year from lupus complications; and

WHEREAS, The awareness of lupus is extremely low, since only one in five Americans is aware of lupus symptoms and health effects. Young women aged 18 to 34 are least aware of lupus, yet they are the group most often affected, and nearly all Americans lack the understanding of the serious and life-threatening complications of lupus; and

WHEREAS, Recent medical advances in the treatment of lupus have been recently announced and signify the potential for an improvement in the standard of treatment for this dreaded disease: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we designate March 11, 2015, as Kansas Lupus Awareness Day and we urge all Kansans to observe this day by educating themselves on the symptoms and impact of lupus, and join the Lupus Foundation of America in supporting programs of research, education and community service; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Finney.

There being no objection, the following remarks of Rep. Finney are spread upon the Journal:

Thank you Mr. Chairman for the this opportunity to introduce this resolution to acknowledge and celebrate "Kansas Lupus Awareness Day" in the House of Representatives. As indicated in the resolution read by our clerk, lupus is an acute and chronic autoimmune disease that has no known cure despite the current treatments available and it can possibly cause death.

For those of you who that know me, know that I have passionately advocated awareness for Lupus for several years now, particularly because I am a Lupus patient and because I believe it is important to educate the public about the potential symptoms and possibly help someone that may experience the devastation that Lupus may cause a patient, family member, or a friend. And I am sure, each of you have probably received several packets of different flavors of Tic-Tac candy from the Lupus Foundation of America (LFA) - Kansas Chapter. The LFA will also be providing once again, their delicious dessert bar on the second floor in the north rotunda.

Today, I have with me the President of the chapter Mr. Earl Mundy and Ms. Cecilia Meitzner the Advocacy Chair of the Kansas Chapter. Also, in the balcony we have several Lupus supporters joining us wearing their beautiful purple t-shirts honoring this special day. Please join my in recognizing their efforts to to promote and advocate for Lupus Awareness in Kansas.

### CONSENT CALENDAR

No objection was made to **SB 46** appearing on the Consent Calendar for the first day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Claeys in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Claeys, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2135**, **HB 2246** be passed.

**HB 2174** be passed over and retain a place on the calendar.

Committee report to **HB 2197** be adopted; and the bill be passed as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 7** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 7," as follows:

"House Substitute for SENATE BILL NO. 7

By Committee on Appropriations

"AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act; amending K.S.A. 12-1677, 12-1775a, 72-1414,



72-6622, 72-6757, 72-8190, 72-8230, 72-8233, 72-8236, 72-8309, 72-8908, 79-2001 and 79-5105 and K.S.A. 2014 Supp. 10-1116a, 12-1770a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1923, 72-3607, 72-3711, 72-3712, 72-3715, 72-5333b, 72-6434, 72-6460, 72-64b01, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-67,115, 72-7535, 72-8187, 72-8237, 72-8249, 72-8250, 72-8251, 72-8302, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8814, as amended by section 54 of 2015 House Substitute for Senate Bill No. 4, 72-9509, 72-9609, 72-99a02, 74-32,141, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213 and 79-2925b and repealing the existing sections; also repealing K.S.A. 72-6406, 72-6408, 72-6411, 72-6415, 72-6418, 72-6419, 72-6424, 72-6427, 72-6429, 72-6432, 72-6436, 72-6437, 72-6444, 72-6446 and 72-6447 and K.S.A. 2014 Supp. 46-3401, 46-3402, 72-3716, 72-6405, 72-6407, 72-6409, 72-6410, 72-6412, 72-6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-6416, 72-6417, 72-6420, 72-6421, 72-6423, 72-6425, 72-6426, 72-6428, 72-6430, 72-6431, 72-6433, 72-6433d, 72-6434, as amended by section 38 of this act, 72-6434b, 72-6435, 72-6438, 72-6439, 72-6439a, 72-6441, 72-6441a, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-6449, 72-6450, 72-6451, 72-6452, 72-6453, 72-6455, 72-6456, 72-6457, 72-6458, 72-6460, as amended by section 39 of this act, 72-6461, 72-8801a, 72-8814, as amended by section 63 of this act, 72-8814b, 72-8815 and 79-213f."; and the substitute bill be passed.

**(H Sub for SB 7** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2382** be amended on page 2, in line 12, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 13** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Federal and State Affairs** recommends **SB 95** be passed.

Committee on **Health and Human Services** recommends **HB 2387** be passed.

Committee on **Health and Human Services** recommends **HB 2376** be amended on page 4, in line 9, by striking all after "on"; in line 10, by striking the first "affairs" and inserting "public health and welfare"; also in line 10, by striking "federal and state affairs" and inserting "health and human services"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 14** be passed.

Committee on **Judiciary** recommends **HB 2112** be amended on page 2, in line 27, after "(f)" by inserting "(1) Except as provided by subsection (f)(2)."; in line 31, after "county," by inserting "No judge shall participate in any decision made by the board of trustees of a county law library pursuant to this paragraph to authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126, and amendments thereto.

(2) The provisions of subsection (f)(1) shall not apply to the board of trustees of any law library established in Johnson and Sedgwick counties."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2330** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2330," as follows:

"Substitute for HOUSE BILL NO. 2330

By Committee on Judiciary

"AN ACT concerning law enforcement officers; relating to the office of sheriff;

qualifications for office; amending K.S.A. 2014 Supp. 19-801b and repealing the existing section."; and the substitute bill be passed.

(Sub **HB 2330** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2167**, **HB 2168** be passed.

Committee on **Taxation** recommends **HB 2196** be amended on page 5, in line 23, by striking all after "(l)"; by striking all in lines 24 through 30; in line 31, by striking all before the period and inserting "Any financial instrument valued at \$20 or less which is abandoned and in the possession of a governmental entity shall be held by such governmental entity for a period of one year. If the financial instrument remains unclaimed for more than one year, the governmental entity shall use or dispose of the financial instrument as the governmental entity sees fit. As used in this subsection, "governmental entity" means the state, any governmental subdivision, agency or instrumentality thereof, and any municipality, county, court or any other unit of local government; and "financial instrument" means any check, draft, money order, certificate of deposit, letter of credit, bill of exchange, credit card, debit card or marketable security"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2405**, AN ACT concerning economic development; relating to the angel investment tax credit; amending K.S.A. 2014 Supp. 74-8133 and repealing the existing section, by Committee on Taxation.

**HB 2406**, AN ACT concerning economic development; relating to urban core housing, opportunity zone and individual development tax-based incentives; amending K.S.A. 12-5241 and 12-5243 and K.S.A. 2014 Supp. 12-5242, 74-50,208, 74-50,222 and 74-50,223 and repealing the existing sections, by Committee on Taxation.

**HB 2407**, AN ACT concerning state infrastructure projects; allowing for public-private agreements, by Committee on Federal and State Affairs.

**HB 2408**, AN ACT repealing certain sales tax exemptions; amending K.S.A. 2014 Supp. 74-50,115, 75-5133, 79-2982, 79-3603, 79-3606 and 79-3693 and repealing the existing sections, by Committee on Taxation.

#### CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 227** from Committee on Energy and Environment and referral to Committee on Agriculture and Natural Resources.

Also, the withdrawal of **SB 244** from Committee on Local Government and referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2334** from Committee on Financial Institutions and referral to Committee on Veterans, Military and Homeland Security.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 12, 2015.

# Journal of the House

## FORTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 12, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Reps. Goico, Kelley and Todd were excused on excused absence by the Speaker.

Present later: Rep. Kelley.

Prayer by Chaplain Brubaker:

Heavenly Father,  
This is the day You have created,  
help us to rejoice and be glad in it.  
God, several people have told me I really  
need to pray hard today –  
so I pray You are listening hard as well.  
Your Word tells us that you number our hairs  
and determine our days;  
You hang the stars and feed the sparrows;  
You open doors no one can shut.  
Surely, we can trust you as the time has come  
for making big and difficult decisions.  
Help us to trust You for generous wisdom,  
straight paths and peaceful hearts.  
We will plan, but we trust You to order our steps.  
We will seek counsel, but count on You to  
overrule misguided or incomplete input.  
Free us from the paralysis of analysis—  
wanting to make the right decision  
more than we want to be righteous people.  
All this I pray in Christ's Name,  
Amen.

The Pledge of Allegiance was led by Rep. Hemsley.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Swanson are spread upon the Journal:

Six schools in Kansas are among 337 schools nationwide named as 2014 National Blue Ribbon Schools. This award, one of the most prestigious education awards in the country, distinguishes and honors both public and private elementary, middle and high schools for helping students achieve at high levels and for showing significant improvement in levels of achievement.

“The Blue Ribbon program recognizes schools in one of two performance categories: Exemplary High Performing and Exemplary Achievement Gap Closing.” Four schools were recognized as Exemplary High Performing Schools: Oatville Elementary School USD 261 in Haysville, St. Patrick Catholic School in Wichita, Valley Falls Elementary School USD 338 in Valley Falls and West Bourbon Elementary School USD 235 in Uniontown. Two schools were recognized for Exemplary Achievement Gap Closing: Ogden Elementary School USD 383 from Manhattan-Ogden and Marais Des Cygnes Valley Elementary USD 456 in Marais Des Cygnes Valley.

Today we have with us Jim Armendariz, Principal of the Ogden Elementary Panthers and teachers Eric Farwell and Megan Morgan. Every day Ogden parents send their best children to his school. Ogden Elementary School may be the most unique school in the state. Nearly half of the students have parents serving in the military at Fort Riley, and three out of four students are eligible for free or reduced-priced meals. Turnover of students may reach as high as nearly 60 percent per year.

When Mr. Armaendariz came to Ogden Elementary School in 2002, students were at a 69% proficiency level in Math and Reading. Last year Ogden elementary students achieved 96% proficiency in Math and 97% in Reading.

Ogden Elementary delivers the best education with dynamic educators, committed students and community stakeholders. Its professional teams strive to stay abreast of cutting-edge educational research to support relationship-driven results of student growth and achievement. As a hub to the entire community of mostly Ft. Riley military personnel, family and community engagement strategies deliver a team approach as a true learning community. The school focus is positive human relationships among and between all stakeholders and students. All teachers prepare students, not for the next grade, but for long-term life skills. Thus, Ogden’s mission to balance academic, character, personal, and social skills ensures future success for each learner with relationships, rigor, relevance, results, and a responsive culture. Positive relationships are built through engaging instruction, presented through the integration of technology. Students become self-guided learners eager to share their learning and expertise with the world. Teachers collaborate to improve high-level thinking skills, embedded and sharpened through student created, STEM-integrated, project-based learning presentations and content skills like computer coding. After-school and summer camp activities enhance classroom instruction. Ogden’s partners, including churches, businesses, food banks, universities, and a host of volunteers, come together with school staff to form a highly-effective team, focused on student success.

Please help me congratulate Mr. Armendariz, Ogden Elementary School students, teachers, parents, and community partners on a job well done.

Rep. Swanson presented Mr. Armendariz with a framed House certificate.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2409**, AN ACT repealing K.S.A. 2014 Supp. 79-201x; eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of \$20,000 of its appraised valuation, by Committee on Taxation.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2407**.

Taxation: **HB 2405**, **HB 2406**, **HB 2408**.

### CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2233** from Committee on Appropriations and rereferral to Committee on Energy and Environment.

### MESSAGES FROM THE SENATE

Announcing passage of **SB 59**, **SB 105**, **Sub SB 131**, **Sub SB 216**, **SB 252**.

Announcing passage of **HB 2053**, as amended.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 59**, **SB 105**, **SB 131**, **SB 216**, **SB 252**.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Finney, **HR 6017**, by Rep. Finney, as follows, was introduced and adopted:

**HR 6017**— A RESOLUTION designating March 12, 2015, as Kidney Awareness Day.

WHEREAS, The state of Kansas recognizes that healthy citizens are essential for strong communities to thrive; and

WHEREAS, High blood pressure and diabetes are the main causes of chronic kidney disease, which is a major public health problem, with increasing prevalence, poor outcomes, long waits for kidney transplants and high costs; and

WHEREAS, One in nine Americans has chronic kidney disease and over 2,722 Kansans receive life-sustaining dialysis treatment; and

WHEREAS, Controlling high blood pressure and diabetes can delay or prevent chronic kidney disease; and

WHEREAS, As the costs of health care continue to grow, early and accurate identification of kidney disease is a critical component of efforts to reduce the negative clinical and economic impact on individuals and on the state of Kansas: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we designate March 12, 2015, as Kidney Awareness Day. We, along with the National Kidney Foundation and the Kidney Coalition, encourage Kansans to monitor and treat

high blood pressure and diabetes to the best of their abilities.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Finney.

There being no objection, the following remarks of Rep. Finney are spread upon the Journal:

March is National Kidney Month. Today I have standing with me Erin Kohake and Jim Anderson from the National Kidney Foundation to recognize today as Kidney Awareness Day with this House Resolution 6017. Although I have no gifts of candies to provide to you today, we will be providing to each of your offices an information and tips packet and an opportunity to get your blood pressure checked for free today until 3:30 pm on the second floor rotunda. In addition, we would like to briefly provide you with a few tips to reduce your kidney disease risk by: Controlling blood pressure and blood sugar; Maintaining proper weight; Quitting smoking; Exercising regularly; and Avoiding excessive use of pain medicine.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Bridges, **HR 6018**, by Rep. Bridges, as follows, was introduced and adopted:

**HR 6018**— A RESOLUTION commemorating the 90<sup>th</sup> Anniversary of the Junior League of Wichita.

WHEREAS, The Junior League of Wichita is an organization of women committed to promoting volunteerism, developing the potential of women and improving communities; and

WHEREAS, The Junior League of Wichita was founded on January 15, 1925, and has devotedly served Wichita continuously for the past 90 years; and

WHEREAS, The Junior League of Wichita reaches out to women of all races, religions and national origins who demonstrate an interest in and a commitment to volunteerism; and

WHEREAS, The Junior League of Wichita has always focused on the current needs of its community and today focuses on combating child abuse through awareness, prevention and intervention; and

WHEREAS, The nearly 800 members of the Junior League of Wichita give generously of their time and talents to volunteer in many areas of this community: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commend and celebrate the 90<sup>th</sup> Anniversary of the Junior League of Wichita. We hope that all Kansans will celebrate and be inspired by its many accomplishments and hopeful determination so that its successes can be replicated where possible throughout the State of Kansas; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Bridges.

There being no objection, the following remarks of Rep. Bridges are spread upon the Journal:

This morning it is my pleasure to recognize the Junior League of Wichita on its 90th anniversary.

Junior League of Wichita began in 1925 with 31 members and today has over 800 new, active and sustaining members. The League has stayed contemporary, evolving from a select group of young matrons to an inclusive group of women who want to improve their leadership skills while providing countless volunteer hours to the community.

Among Junior League's contributions to Wichita are: a marionette show, started in 1937 which became the Wichita Children's Theatre, established two Ronald McDonald houses in Wichita, with Wichita continuing to be one of a handful of cities with two houses, started the Wichita Susan G. Komen Race for the Cancer Cure in Wichita, and in honor of the League's 75th anniversary donated \$1.5 million to the Sedgwick County Zoo to build the "Pride of the Plains" exhibit which houses lions, meerkats and warthogs.

In 2011, the League voted to become issue-focused and chose Child Abuse Prevention as its goal. The League presents a puppet show in area schools to third and fourth graders to teach them about physical and sexual abuse. To date, over 3400 students have seen this entertaining and informative puppet show.

Junior League of Wichita finances these projects through a four day shopping extravaganza held in October each year. Since its inception 12 years ago, the League has raised over \$1 million dollars from Holiday Galleria.

I would like to introduce three members who stand here today. Incoming President Martha Linsner, President-elect Patty Armstrong and my favorite Junior League member, my daughter Julie Buth.

With that, Mr. Speaker, I congratulate Junior League of Wichita on 90 years of community service and move my resolution.

## CONSENT CALENDAR

No objection was made to **SB 13** appearing on the Consent Calendar for the first day.

No objection was made to **SB 46** appearing on the Consent Calendar for the second day.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2135**, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D.

Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Todd.

The bill passed.

**HB 2197**, AN ACT concerning municipalities; relating to land banks; amending K.S.A. 2014 Supp. 12-5909 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Todd.

The bill passed, as amended.

**HB 2246**, AN ACT concerning municipalities; dealing with payment of claims; amending K.S.A. 2014 Supp. 12-105a and 12-105b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker,



Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Todd.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report, as follows, was adopted:

Recommended that on motion of Rep. Vickrey, pursuant to House Rule 2311, House Rule 1704 be suspended for the purpose of allowing the following members to speak more than once: Reps. Kleeb, Ryckman, Jr., Schwartz, Henry and Trimmer.

Committee report recommending a substitute bill to **H Sub for SB 7** be adopted; also, on motion of Rep. Grosserode be amended on page 51, in line 33, by striking all after "(A)"; in line 34, by striking "(1)(B)" and inserting "through (d)(1)(C)";

On page 52, in line 4, by striking all after "(A)"; in line 5, by striking "(2)(B)" and inserting "through (d)(2)(C)";

On page 79, in line 1, after "may" by inserting "be"; in line 36, after "may" by inserting "be";

Rep. Henry requested a ruling to determine if **H Sub for SB 7** is a policy bill or an appropriations bill. The Rules Chair ruled the bill is a policy bill and the "pay-go" rule does not apply.

Also, on motion of Rep. Ryckman, Jr., **H Sub for SB 7** be amended on page 55, following line 28, by inserting:

"(g) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such reduction in total assessed valuation is the direct result of the classification of tangible personal property within such district for property tax purposes pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto, the assessed valuation per pupil for purposes of determining supplemental general state aid shall be based on such school district's total assessed valuation for school year 2015-2016.";

On page 78, in line 1, by striking "\$2,002,500" and inserting "\$2,202,500"; following line 17, by inserting:

"(f) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such

reduction in total assessed valuation is the direct result of the classification of tangible personal property within such district for property tax purposes pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto, the assessed valuation per pupil for purposes of determining capital outlay state aid shall be based on such school district's total assessed valuation for school year 2015-2016.";

Roll call was demanded on motion of Rep. Kuether to amend **H Sub for SB 7 on page 99, following line 25 by inserting:**

"Sec. 80. K.S.A. 75-3722 is hereby amended to read as follows: 75-3722. (a) An allotment system will be applicable to the expenditure of the resources of any state agency, under rules and regulations established as provided in K.S.A. 75-3706, and amendments thereto, only if in the opinion of the secretary of administration on the advice of the director of the budget, the use of an allotment plan is necessary or beneficial to the state. In making this determination the secretary of administration shall take into consideration all pertinent factors including: (1) Available resources; (2) current spending rates; (3) work loads; (4) new activities, especially any proposed activities not covered in the agency's request to the governor and the legislature for appropriations; (5) the minimum current needs of each agency; (6) requests for deficiency appropriations in prior fiscal years; (7) unexpended and unencumbered balances; and (8) revenue collection rates and prospects.

(b) Whenever for any fiscal year it appears that the resources of the general fund or any special revenue fund are likely to be insufficient to cover the appropriations made against such general fund or special revenue fund, the secretary of administration, on the advice of the director of the budget, shall, in such manner as ~~he or she~~ the secretary may determine, inaugurate the allotment system so as to assure that expenditures for any particular fiscal year will not exceed the available resources of the general fund or any special revenue fund for that fiscal year. The allotment system shall not apply to the: (1) Legislature or to the courts or their officers and employees; or (2) any item of appropriation which provides funding for any state agency or school district educating students in kindergarten or any of the grades one through 12. Agencies affected by decisions of the secretary of administration under this section shall be notified in writing at least ~~thirty (30)~~ 30 days before such decisions may become effective and any affected agency may, by written request addressed to the governor within ~~ten (10)~~ 10 days after such notice, ask for a review of the decision by the finance council. The finance council shall hear appeals and render a decision within ~~twenty (20)~~ 20 days after the governor receives requests for such hearings.";

Also on page 99, in line 26, before "K.S.A." by inserting "K.S.A. 75-3722 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, following the first comma by inserting "75-3722,"

On roll call, the vote was: Yeas 33; Nays 89; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Doll, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Rooker, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Dove, Edmonds, Esau, Estes, Ewy,

Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion of Rep. Kuether did not prevail.

Roll call was demanded on motion of Rep. Henry to amend **H Sub for SB 7** on page 1, following line 29, by inserting:

"Section 1. (a) For the fiscal year ending June 30, 2015, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) This act shall not be subject to the provisions of K.S.A. 75-6702(a), and amendments thereto.

(c) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.";

Also on page 1, by striking all in line 36;

By striking all on pages 2 through 99;

On page 100, by striking all in lines 1 through 5; following line 5, by inserting:

"Sec. 3. *Severability*. If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; in line 2, by striking "thereof"; in line 3, by striking all after "2015."; by striking lines 4 through 26; in line 27, by striking all before the period and inserting "for the department of education"

On roll call, the vote was: Yeas 45; Nays 77; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, Dierks, Edmonds, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Kuether, Lane, Lusk, Lusker, Mason, Moxley, Ousley, Phillips, Rooker, Ruiz, Sawyer, Sloan, Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Doll, Dove, Esau, Estes, Ewy, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch,

Thompson, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion of Rep. Henry did not prevail.

Roll call was demanded on motion of Rep. Whipple to refer **H Sub for SB 7** to Committee on Education.

On roll call, the vote was: Yeas 41; Nays 81; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Ballard, Becker, Bridges, Burroughs, Carlin, Carmichael, Clark, Curtis, Dierks, Doll, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Rooker, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clayton, Concannon, Corbet, Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Ewy, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion of Rep. Whipple did not prevail.

On motion to recommend **H Sub for SB 7** favorably for passage, roll call was demanded.

On roll call, the vote was: Yeas 64; Nays 58; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anthimides, Barker, Barton, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, Davis, DeGraaf, Dove, Esau, Estes, Garber, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Vickrey, Whitmer, Williams.

Nays: Alcalá, Alford, Ballard, Becker, Billinger, Boldra, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Johnson, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Phillips, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion to recommend **H Sub for SB 7** favorably for passage prevailed and the bill be passed as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 189** be amended on page 8, following line 9, by inserting:

"Sec. 8. K.S.A. 2014 Supp. 76-4,112 is hereby amended to read as follows: 76-4,112. (a) There is hereby established the veterinary training program for rural Kansas at the college of veterinary medicine at Kansas state university which shall be developed and implemented in order to provide encouragement, opportunities and incentives for persons pursuing a veterinary medicine degree program at Kansas state university to locate their veterinary practice in rural Kansas communities and receive specialized training targeted to meet the needs of livestock producers and rural Kansas communities. The program shall be administered by the college of veterinary medicine at Kansas state university.

(b) Subject to the provisions of appropriation acts, in accordance with the provisions of this section, the college may enter into program agreements with up to five first-year veterinary students per year who have entered into a program agreement. Preference shall be given to those students who are Kansas residents and who agree to serve in a county as described in subsection (d)(3) which is determined to be an underserved area for the practice of veterinary medicine as determined by the college.

(c) Subject to the provisions of appropriation acts, each student entering into a program agreement under this section shall receive a loan in the amount of \$20,000 per year for not more than four years for tuition, books, supplies and other school expenses, and travel and training expenses incurred by the student in pursuing a veterinary medicine degree. Upon satisfaction of all commitments under the provisions of the agreement and the provisions of this section, the loans provided pursuant to this section shall be deemed satisfied and forgiven.

(d) Each program agreement shall require that the person receiving the loan:

(1) Complete the veterinary medicine degree program at the college;

(2) complete all advanced training in public health, livestock biosecurity, foreign animal disease diagnosis, regulatory veterinary medicine and zoonotic disease, and an externship and mentoring requirement with a licensed, accredited veterinarian in rural Kansas as required by the college;

(3) engage in the full-time practice of veterinary medicine in any county in Kansas which has a population not exceeding 35,000 at the time the person entered into the program agreement for a period of at least 12 continuous months for each separate year a student receives a loan under the program, unless such obligation is otherwise satisfied as provided in this section. A program agreement whereby the person pursuant to such agreement is engaging in the full-time practice of veterinary medicine in a county that no longer meets the maximum population requirements provided in this subsection after the date that such program agreement was entered into by the college and the person shall continue in full force and effect subject to the other requirements contained in this section;

(4) commence such full-time practice of veterinary medicine within 90 days after completion of such person's degree program, or if such person enters a post-degree training program such as a graduate school or internship or residency program, within

90 days after completion of such post-degree training program; and

(5) upon failure to satisfy the obligation to engage in the full-time practice of veterinary medicine in accordance with the provisions of this section, repay to the college, within 90 days of such failure, the amount equal to the amount loaned to such person less a prorated amount based on any such periods of practice of veterinary medicine meeting the requirements of this section, plus interest at the prime rate of interest plus 2% from the date such loan accrued. Such interest shall be compounded annually.

(e) An obligation to engage in the practice of veterinary medicine in accordance with the provisions of this section shall be postponed during: (1) Any period of temporary medical disability during which the person obligated is unable to practice veterinary medicine due to such disability; and (2) any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice agreement.

(f) An obligation to engage in the practice of veterinary medicine in accordance with the provisions of the agreement and this section shall be satisfied: (1) If the obligation to engage in the practice of veterinary medicine in accordance with the agreement has been completed; (2) if, because of permanent disability, the person obligated is unable to practice veterinary medicine; or (3) the person obligated dies.

(g) The college may adopt additional provisions, requirements or conditions to participate in this program as are practicable and appropriate to accomplish the provisions of the program or may be required for the implementation or administration of the program, and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

(h) As used in this section: (1) "College" means the college of veterinary medicine at Kansas state university; (2) "program" means the veterinary training program for rural Kansas established pursuant to this section; and (3) "program agreement" means an agreement to meet all the obligations provided in this section by a person who is a first-year veterinary student at the college, and provides benefits to such person as provided in this section.

~~(i) The college shall not enter into any program agreements pursuant to the provisions of this section after July 1, 2016. All program agreements entered into prior to such date shall continue in full force and effect subject to the requirements of this section.~~;

Also on page 8, in line 11, by striking "and" and inserting a comma; also in line 11, after "47-830" by inserting "and 76-4,112";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "and" and inserting a comma; also in line 4, after "47-830" by inserting "and 76-4,112" and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2381** be amended on page 7, in line 41, by striking the second quotation mark; also in line 41, after "assistance" by inserting a quotation mark;

On page 8, in line 35, after "in" by inserting "any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or"; in line 37, after "assistance" by inserting "except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion";

On page 9, in line 12, after "The" by inserting "family group shall not be eligible for TANF if the"; in line 14, by striking "48" and inserting "36"; in line 16, by striking "60-month" and inserting "48-month"; in line 17, by striking "60" and inserting "48"; in line 27, by striking "48<sup>th</sup>" and inserting "36<sup>th</sup>";

On page 10, in line 7, by striking "and" and inserting "or";

On page 12, in line 29, after "offense" by inserting "occurring on or after July 1, 2015,"; in line 31, after the period by inserting "Notwithstanding the provisions of this paragraph, an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.";

Also on page 12, in line 32, by striking all after "purchase"; in line 33, by striking "as"; also in line 33, after "tickets" by inserting ", concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public"; in line 35, after the third comma by inserting "jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or"; in line 39, after the period by inserting "TANF cash assistance transactions for cash withdrawals from automated teller machines shall be limited to \$60 per transaction and to one transaction per day. No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas."; following line 39, by inserting:

"(15) (A) The secretary for children and families shall place a photograph of the recipient of public assistance on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.";

And redesignating paragraphs accordingly;

On page 14, following line 30, by inserting:

"(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2014(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash,



in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2014(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law."; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2395** be amended on page 2, by striking all in lines 10 through 43;

On page 3, by striking all in lines 1 through 36; in line 37, by striking "and 75-37,143 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and 75-37,143"; also in line 3, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Judiciary** recommends **Substitute for SB 38** be amended on page 1, in line 35, by striking "fails to conduct a reasonable analysis"; by striking all in line 36;

On page 2, by striking all in line 1; in line 2, by striking all before "specific" and inserting ":

(A) Fails to compare the scope of the patent to the intended recipient or affiliated person's products, services or technology, to the extent commercially reasonable and identifiable from public information; or

(B) performs such comparison, but fails to identify in the communication the"; Also on page 2, in line 4, by striking "included"; in line 6, after "person;" by inserting "or"; in line 12, by striking "; or"; by striking all in lines 13 through 15; in line 16, by striking all before the period; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 51**, as amended by Senate Committee, be amended on page 1, in line 9, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 3, in line 40, before "K.S.A." by inserting "in";

On page 4, in line 12, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 14, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 7, in line 3, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 6, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 25, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 31, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 11, in line 4, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 15, in line 14, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 32, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 17, in line 34, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 18, in line 11, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 14, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 19, in line 12, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 15, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 20, in line 38, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 40, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 21, in line 5, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 22, in line 2, before "K.S.A." by inserting "On and after July 1, 2015,"; in



line 4, before "the" by inserting "on and after July 1, 2015, through June 30, 2017,"; in line 32, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 23, in line 7, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 9, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 24, in line 34, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 37, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 25, in line 2, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 39, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 27, in line 8, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 29, in line 11, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 19, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 30, in line 9, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 38, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 31, in line 15, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 32, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 38, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 32, in line 4, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 33, in line 21, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 34, in line 6, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 32, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 35, in line 9, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 11, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 26, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 33, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 40, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; following line 42, by inserting:

"Sec. 23. K.S.A. 2014 Supp. 20-1a16 is hereby amended to read as follows: 20-1a16. There is hereby created in the state treasury the electronic filing and management fund. All expenditures from the electronic filing and management fund shall be for purposes of creating, implementing and managing an electronic filing and centralized case management system for the state court system and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chief justice of the supreme court or by a person designated by the chief justice. On and after the effective date of this act, during the fiscal year ending June 30, 2015, the chief justice of the supreme court may transfer any amount of the electronic filing and management fund to the judicial branch docket fee fund. The chief justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 24. K.S.A. 2014 Supp. 20-362 is hereby amended to read as follows: 20-362. The clerk of the district court shall remit all revenues received from docket fees as follows:

(a) At least monthly to the county treasurer, for deposit in the county treasury and credit to the county general fund:

(1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A. 60-2001 and

60-3005, and amendments thereto, during the preceding calendar month;

(2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant to K.S.A. 61-4001, or K.S.A. 61-2704 or 61-2709, and amendments thereto; and

(3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A. 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preceding calendar month.

(b) At least monthly to the board of trustees of the county law library fund, for deposit in the fund, a sum equal to the library fees paid during the preceding calendar month for cases filed in the county.

(c) At least monthly to the county treasurer, for deposit in the county treasury and credit to the prosecuting attorneys' training fund, a sum equal to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month for cases filed in the county and a sum equal to \$1 for each fee paid pursuant to ~~subsection (e) of~~ K.S.A. 28-170(c), and amendments thereto, during the preceding calendar month for cases filed in the county.

(d) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury and credit to the law enforcement training center fund a sum equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month.

(e) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury a sum equal to the balance which remains from all docket fees paid during the preceding calendar month after deduction of the amounts specified in subsections (a), (b), (c) and (d). Of the balance remitted to the state treasury pursuant to this subsection, the state treasurer shall credit 0.99% to the judicial council fund. During the fiscal years ending June 30, 2015, June 30, 2016, ~~and June 30, 2017, and June 30, 2018,~~ of the remainder, the state treasurer shall deposit and credit the first \$3,100,000 to the electronic filing and management fund created in K.S.A. 2014 Supp. 20-1a16, and amendments thereto. During the fiscal year ending June 30, ~~2018~~ 2019, and each fiscal year thereafter, of the remainder, the state treasurer shall deposit and credit the first \$1,000,000 to the electronic filing and management fund. Of the balance which remains after deduction of the amounts specified in this subsection, the state treasurer shall deposit and credit the remainder to the judicial branch docket fee fund.

Sec. 25. K.S.A. 2014 Supp. 20-1a16 and 20-362 are hereby repealed.";

Also on page 35, in line 43, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 36, in line 5, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "fund;" by inserting "docket fees; electronic filing and management fund; judicial branch docket fee fund;"; also in line 2, after "8-2110," by inserting "20-1a16, 20-362,"; and the bill be passed as amended.

Committee on **Utilities and Telecommunications** recommends **SB 109** be amended on page 3, in line 43, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2410**, AN ACT concerning STAR bonds; relating to economic impact studies; base year assessed valuation for additions of area to project districts; financing an excess of approved amounts; amending K.S.A. 2014 Supp. 12-17,162, 12-17,164, 12-17,166, 12-17,168 and 12-17,171 and repealing the existing sections, by Committee on Appropriations.

**REPORT ON ENGROSSED BILLS**

**HB 2197** reported correctly engrossed March 11, 2015.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, March 13, 2015.

# Journal of the House

FORTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 13, 2015, 8:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 120 members present.

Reps. Ballard, Bridges, Peck and Todd were excused on excused absence by the Speaker.

Present later: Rep. Todd.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for this day You have given us.  
The last couple of days have been rough.  
Many discussions, debates, arguments and agreements have occurred.  
Some of our legislators may feel tired, discouraged,  
weary, frustrated, and maybe even mad.  
I ask that You be especially near to each one today.  
There is a big final vote today, Lord.  
Your word says—  
“If any of you lacks wisdom, let him ask God,  
who gives generously to all without reproach,  
and it will be given him.”  
I ask today that You give each and everyone YOUR wisdom.  
There is another passage that most may be familiar with that says—  
“Trust in the LORD with all your heart  
and lean not on your own understanding;  
in all your ways submit to him,  
and he will make your paths straight.”  
*The Message* version of this Scripture words it  
a bit differently – perhaps more appropriately for us.  
“Trust GOD from the bottom of your heart;  
don’t try to figure out everything on your own.  
Listen for GOD’s voice in everything you do, everywhere you go;  
he’s the one who will keep you on track.  
Don’t assume that you know it all.”  
It is this wisdom for which I pray in Christ’s Name,  
Amen.  
(James 1:5; Proverbs 3:5-6)

The Pledge of Allegiance was led by Rep. Whipple.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **Sub SB 131, Sub SB 216, SB 252.**

Federal and State Affairs: **SB 105.**

Judiciary: **SB 59.**

Taxation: **HB 2409, HB 2410.**

## COMMUNICATIONS FROM STATE OFFICERS

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 74-7316, fiscal year 2014 Annual Report of the Crime Victims Compensation Board.

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

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

### HOUSE RESOLUTION No. **HR 6019--**

by Representative Schwab

A RESOLUTION designating March 2015 as Self-Care Month.

WHEREAS, Self-care is a lifelong daily habit of healthy lifestyle choices, good hygiene practices, prevention of infection and illness, avoiding unhealthy choices, monitoring for signs and symptoms of changes in health, knowing when to consult a healthcare practitioner and knowing when it is appropriate to self-treat conditions; and

WHEREAS, The United States Food and Drug Administration deems over-the-counter medicines safe and effective for the self-care treatment of minor acute and chronic health conditions and symptoms such as pain, the common cold, allergies and other conditions that impact large segments of the population; and

WHEREAS, Over-the-counter medicines are either developed as new nonprescription medicines or switched from existing prescription medicines; and

WHEREAS, Over-the-counter nonprescription medicines are self-care products that consumers purchase in pharmacies, supermarkets, retail stores and online; and

WHEREAS, Every dollar spent on over-the-counter medicines saves the United States healthcare system six to seven dollars each year – totaling \$102 billion in annual savings: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we designate March 2015 as Self-Care Month in order to improve awareness of self-care and the value it represents to the citizens of Kansas; and

*Be it further resolved:* That we support increased consumer empowerment through the development of new nonprescription medicines and the appropriate switch of certain prescription medicines to nonprescription medicines; and

*Be it further resolved:* That we acknowledge that over-the-counter medicines can greatly improve and reduce costs to the public health system; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Schwab.

**CONSENT CALENDAR**

No objection was made to **SB 13** appearing on the Consent Calendar for the second day.

No objection was made to **SB 46** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 46**, AN ACT concerning domesticated deer; relating to identification of deer; amending K.S.A. 2014 Supp. 47-2101 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Bridges, Bruchman, Peck, Todd.

The bill passed.

**H Sub for SB 7**, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act; amending K.S.A. 12-1677, 12-1775a, 72-1414, 72-6622, 72-6757, 72-8190, 72-8230, 72-8233, 72-8236, 72-8309, 72-8908, 79-2001 and 79-5105 and K.S.A. 2014 Supp. 10-1116a, 12-1770a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1923, 72-3607, 72-3711, 72-3712, 72-3715, 72-5333b, 72-6434, 72-6460, 72-64b01, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-67,115, 72-7535, 72-8187, 72-8237, 72-8249, 72-8250, 72-8251, 72-8302, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8814, as amended by section 54 of 2015 House Substitute for Senate Bill No. 4, 72-9509, 72-9609, 72-99a02, 74-32,141, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213 and 79-2925b and repealing the existing sections; also repealing K.S.A. 72-6406, 72-6408, 72-6411, 72-6415, 72-6418, 72-6419, 72-6424, 72-6427, 72-6429, 72-6432, 72-6436, 72-6437, 72-6444, 72-6446 and 72-6447 and K.S.A. 2014 Supp. 46-3401, 46-3402, 72-3716, 72-6405, 72-6407, 72-6409, 72-6410, 72-6412, 72-6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-6416, 72-6417, 72-6420, 72-6421, 72-6423, 72-6425, 72-6426, 72-6428, 72-6430, 72-6431, 72-6433, 72-6433d, 72-6434,

as amended by section 38 of this act, 72-6434b, 72-6435, 72-6438, 72-6439, 72-6439a, 72-6441, 72-6441a, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-6449, 72-6450, 72-6451, 72-6452, 72-6453, 72-6455, 72-6456, 72-6457, 72-6458, 72-6460, as amended by section 39 of this act, 72-6461, 72-8801a, 72-8814, as amended by section 63 of this act, 72-8814b, 72-8815 and 79-213f, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 64; Nays 57; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anthimides, Barker, Barton, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeyes, Corbet, Davis, DeGraaf, Dove, Esau, Estes, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Whitmer, Williams.

Nays: Alcalá, Alford, Becker, Billinger, Bollier, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Johnson, Kelly, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Phillips, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ballard, Bridges, Peck.

The substitute bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: This legislation backtracks any progress made last year in addressing the Supreme Court's ruling that school funding be made more equitable. In the long run, this will result in dramatically higher property taxes and major wealth disparities between districts. That is unfair to Kansas schools and bad for the Kansas economy.

Most Kansas districts will be forced to absorb millions in cuts under this proposal, in addition to the millions they have already been forced to endure in recent years. We are cutting funding to our public schools at a time when we should be investing in our children and their futures. It is for these reasons that I am voting no on **H Sub for SB 7**.

— GAIL FINNEY, VALDENIA WINN, ANNIE TIETZE

MR. SPEAKER: The constitution that I swore to uphold charges our schools with continuous improvement and our legislature with providing suitable provision for the finance of public education. This bill allows for neither. It provides certainty for the legislature by locking down the budget and ignoring the changing needs of our students. However, our public schools face a very uncertain future. I heard from hundreds of my constituents this week - the taxpayers who pay for our schools - and their message is clear: vote no on this bill, fix our revenue problem and adequately fund our schools. I vote NO on **H Sub for SB 7**. — MELISSA ROOKER, BARBARA BOLLIER, DIANA DIERKS

MR. SPEAKER: I vote no on **H Sub for SB 7**. I have discovered that this bill, on page 52, line 40, obligates the state to pay school districts for virtual students who are not Kansas residents. That troubling fact should have been made clear to the body. What other surprises lurk in the 100 pages of this bill? Let's not pass it to learn what is in it. A bill which directs the expenditure of half of the state general fund merits extensive and careful deliberation. This is much too fast. I vote no on **H Sub for SB 7**. – DON HINEMAN, RUSS JENNINGS

MR. SPEAKER: I strongly support the re-working of the school finance formula. But I cannot put my name on this bill. The process to create the bill was much too hasty. K-12 is around half of the state's general fund. The Kansas Legislature has one function, and that is to be good, solid, responsible stewards of the taxpayers' money. When handling The People's funds, the legislature should be calm, measured, and should engage all voices in the process. That did not happen with this bill. We can do better than this. I vote no on **H Sub for SB 7**. – STEPHANIE CLAYTON

MR. SPEAKER: It has taken three years for us to fully comprehend how ill-advised the tax bill of 2012 is. It will take far less time for the Block Grant legislation to be recognized as equally, if not more, irresponsible. K-12 funding will be cut, those districts which have contingency reserve funds will spend them down, property taxes will go up, the rich will get richer and the poor will get poorer. Equitable funding will be a casualty and suitable provision for education funding will be in peril. We will be a greater risk of losing in court. I vote no on **H Sub for SB 7**. – DON HILL, LINDA GALLAGHER

MR. SPEAKER: I am pleased to support a bill that increases funding for schools and provides the opportunity to create a new school finance formula that is fair, equitable, flexible, and restores local control to the school boards and administrators. We should begin the process immediately. It is unacceptable that we have a finance formula that creates tension between rural and urban, and rich and poor districts. I vote yes on **H Sub for SB 7**. – MARVIN KLEEB

MR. SPEAKER: I vote no on **H Sub for SB 7** because, just as the tax bill three years ago benefited the wealthiest Kansans, this bill benefits the wealthiest school districts, at the expense of districts like my own. For this and many other reasons, I vote no on **H Sub for SB 7**. – JOHN CARMICHAEL

MR. SPEAKER: I voted "NO" on **H Sub for SB 7** because I feel it, along with the income tax bill of 2012, will deny schools any opportunity to advance in the education process. The almighty dollar appears to be more important than quality education.

The winners on the vote are the ultra-conservative think tanks and the people they manipulate. The losers are the boys and girls of Kansas. – LARRY HIBBARD

MR. SPEAKER: It is with great certainty that I vote against this bill, **H Sub for SB 7**, which exacerbates inequalities amongst districts and inadequately funds our public education system. This legislation creates inequalities in schools across the state by pitting poor districts against wealthy districts and urban districts against rural districts. It also caps funding and forces public schools to absorb more cuts at a time when we should be investing more funding in education.



It is time for the Legislature to make fair and adequate funding a priority. The future of Kansas deserves better. – HAROLD LANE, KATHY WOLFE MOORE, PONKA-WE VICTORS, PAM CURTIS, STAN FROWNELTER, BRODERICK HENDERSON, RODERICK HOUSTON, JOHN ALCALA, SYDNEY CARLIN, TOM BURROUGHS, BRANDON WHIPPLE, ED TRIMMER, LOUIS E. RUIZ.

MR. SPEAKER: Fairness should be the center piece of any legislation. **H Sub for SB 7** doesn't fix anything but rather compounds the inequity. In fact by its nature **H Sub for SB 7** creates immediate inequity, an immediate judicial void, adds to our budget shortfall and creates immediate uncertainty for those school districts which have fluctuating enrollment.

We are only in this uncomfortable position when our leaders pick a position which is at odds with our constituents. And now, once again, just like when the bankrupting 2012 tax bill was shoved upon this body, they are saying "Trust Me." Vote no and be with your constituents. – TOM MOXLEY

MR. SPEAKER: I'm voting against **H Sub for SB 7** because it ignores the needs of our local school districts and Kansas students. It inadequately funds public education, and as a result inflicts untold damage to an entire generation of Kansans. Our schools are already underfunded, and this bill only exacerbates the problem.

This bill freezes funding to public schools and forces schools to make cuts to cover the cost. Schools are still operating at recession-era levels of funding. Parents and educators who have been begging the Legislature to restore school funding for the last four years will be forced to wait to get any more dollars into the classroom. – JOHN WILSON, NANCY LUSK

MR. SPEAKER: The school finance formula in Kansas is broken and dysfunctional. It has not served the needs of our students, schools, or taxpayers for many years. **H Sub for SB 7** paves the way for the construction of a new, modern school finance formula. It restores local control and certainty to education and will empower communities to do what is best for their schools. That's why I vote yes on **H Sub for SB 7**. – WILLIE DOVE, STEVEN ANTHIMIDES, KEITH ESAU, KRISTEY WILLIAMS, WILL CARPENTER, KEVIN JONES, TONY BARTON, LES MASON, JOHN WHITMER, MARC RHOADES, MARK KAHS, JOSEPH SCAPA

MR. SPEAKER: Rural schools that are the lifeblood of their community have been treated unfairly by the current school finance formula. The old formula classifies rural schools as wealthy while categorizing bigger schools with more population as impoverished. This bill gives rural schools the authority and the flexibility to meet the unique needs of areas with declining populations and gives local school boards certainty in their budgets. It provides a bridge to a new funding formula that will help equip rural schools with the tools they need to help students succeed. That's why I vote YES on **H Sub for SB 7**. – KYLE HOFFMAN, RON RYCKMAN, JOE SEIWERT, SHARON SCHWARTZ, SUE BOLDRÁ, CHARLES SMITH, TRAVIS COUTURE-LOVELADY, JACK THIMESCH, BUD ESTES, JOHN BARKER, RANDY GARBER

MR. SPEAKER: The current school finance formula propagates unintended consequences harmful to our students: over 10 years of lawsuits, a choice costing millions that could have been better spent in the classroom; historically higher levels of K-12 spending every year without better student outcomes; soaring administrative costs while teachers and pupils do without; and hundreds of millions of appropriated

taxpayers' dollars remaining unspent in segregated "silos." So the formula must go.

Our priority is and should always be our children and the classrooms where they learn, and more local control for their schools. This bill accomplishes that. I enthusiastically vote "Aye" on **H Sub for SB 7**. — JOHN RUBIN

MR. SPEAKER: Change is required to end years-long litigation over a much-debated formula that can be manipulated and is *not* equally applied. Being mired in the destructive diversion of litigation and thus focused on quantity over quality takes energy, creativity and devotion away from educational opportunity and thwarts an innovative fast-adapting system designed for ALL students.

Around 40,000 students are relegated to the lowest-performing schools in our state. The formula and system have failed them. Through maximum fiscal freedom and increased local oversight, we step toward greater innovation and equality in education for all students. I vote yes on **H Sub for SB 7**. n-- KASHA KELLEY

MR. SPEAKER: The children are the real winners today. I vote yes on **H Sub for SB 7**. -- RAY MERRICK

## REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 113** be amended on page 4, following line 9, by inserting:

"Sec. 3. K.S.A. 2014 Supp. 32-1049 is hereby amended to read as follows: 32-1049. (a) Whenever a person is charged for any violation of any of the wildlife, parks and tourism laws of this state or the provisions of article 11 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations adopted thereunder, punishable as a misdemeanor and is not immediately taken before a judge of the district court as required or permitted pursuant to K.S.A. 32-1048 and ~~32-1178~~ 32-1179, and amendments thereto, the officer ~~shall~~ may prepare a written citation containing a notice to appear in court, the name and address of the person, the offense charged, the time and place when and where the person shall appear in court and such other pertinent information as may be necessary.

(b) The time specified in the citation must be at least five days after the alleged violation unless the person charged with the violation shall demand an earlier hearing.

(c) The place specified in the citation must be before a judge of the district court within the county in which the offense is alleged to have been committed and who has jurisdiction of the offense and is nearest or most accessible with reference to the place where the alleged violation occurred.

(d) The person charged with the violation may give a written promise to appear in court by signing at least one copy of the written citation prepared by the officer, in which event the officer shall deliver a copy of the citation to the person, and thereupon the officer shall not take the person into physical custody for the violation.

~~(e) Any officer violating any provisions of this section is guilty of misconduct in office and shall be subject to removal from office.~~

~~(f)~~ (e) In the event the form of citation provided for in this section includes information required by law and is signed by the officer preparing the same, such citation when filed with a court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution under law.;"

Also on page 4, in line 10, by striking "and" and inserting a comma; also in line 10, after "32-1041" by inserting "and 32-1049";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "department;" by inserting "citations;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "32-1041" by inserting "and 32-1049"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2296** be amended on page 1, in line 16, by striking all after "thereto"; by striking all in lines 17 through 25; in line 26, by striking all before the period;

On page 2, in line 11, after the stricken material by inserting "The resolution shall provide that if within 60 days after the last date of publication of the resolution a petition in opposition to the resolution, signed by electors representing not less than 5% of the electors of the county who voted in the last general election in November is filed with the county clerk, the board shall submit the question to the voters at an election called for that purpose or at the next general election. The resolution shall be published once a week for two consecutive weeks in the official county newspaper.

(b) Any petition circulated under this section shall conform to the requirements of K.S.A. 25-3601 et seq., and amendments thereto.";

Also on page 2, by striking all in line 14; in line 15, by striking all before the period and inserting "expiration of the protest period provided under this section";

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

Also on page 2, in line 16, by striking ", 12-1767";

On page 1, in the title, in line 2, by striking all after "sections"; in line 3, by striking all before the period; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2070**, **HB 2071**, **HB 2209** be passed.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 55**, by Representative Susie Swanson, commending Ogden Elementary School and Jim Armendariz, Principal for receiving the 2014 National Blue Ribbon Award;

**Request No. 56**, by Representative John Doll, commending Dianna Deniston for winning the 2015 Janet Sims Teacher of the Year Award. This award, presented by the Kansas Foundation for Agriculture in the Classroom, is for integrating mathematical skills with everyday farm life, an idea that became "Ag Math Harvest Day";

**Request No. 57**, by Representative Larry Hibbard, congratulating Yates Center High School Scholar Bowl Team in recognition for being named 2014 Class 2A Scholar Bowl Champions;

**Request No. 58**, by Representative Melissa Rooker, congratulating Shawnee Mission East Lancers Football Team in recognition for winning the 2014 Class 6A Football State Championship;

**Request No. 59**, by Representative John Whitmer, commending Oatville Elementary School USD 261, and Shane Dent, Principal, in recognition for receiving the 2014 National Blue Ribbon Award;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2411**, AN ACT concerning courts; relating to appellate court jurisdiction; abolishing the court of appeals; establishing the court of criminal appeals and the court of civil appeals; amending K.S.A. 9-1907, 12-811, 13-1228h, 17-6906, 19-3517, 20-101, 20-139, 20-158, 20-163, 20-1a14, 20-205, 20-207, 20-208, 20-211, 20-310b, 20-2201, 20-2616, 20-3208, 22-2202, 22-2514, 22-2804, 22-4507, 24-702, 25-3206, 48-2922, 48-2923, 48-2924, 48-2925, 48-2926, 48-2928, 60-1301, 60-2101, 60-3201, 60-3208, 66-118a, 66-118g, 68-527a, 74-601, 75-3216, 77-609, 77-623 and 77-627 and K.S.A. 2014 Supp. 7-121b, 20-1a15, 20-302b, 20-2601, 20-2622, 20-3021, 20-3202, 20-3301, 21-5207, 21-5905, 21-6619, 21-6628, 21-6702, 22-3402, 22-3601, 22-3602, 22-3604, 22-3612, 22-4701, 26-504, 38-2382, 44-556, 45-217, 46-234, 55-1410, 60-223, 60-1501, 60-1505, 60-2102, 61-3902, 65-3008a, 65-3013, 65-4211, 72-64b03, 74-2426, 74-8762, 74-8813, 74-8815, 75-430, 75-702, 75-3120h, 75-3120l, 75-3692, 75-37,135 and 82a-1505 and repealing the existing sections; also repealing K.S.A. 20-3001, 20-3012, 20-3013, 20-3014, 20-3015, 20-3016, 20-3018 and 20-3019 and K.S.A. 2014 Supp. 20-3002, 20-3006, 20-3010, 20-3011, 20-3017 and 20-3020, by Committee on Appropriations.

### **CHANGE OF REFERENCE**

Speaker pro tem Mast announced the withdrawal of **HB 2171** from Committee on Federal and State Affairs and referral to Committee on Commerce, Labor and Economic Development.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast appointed Rep. Highberger to replace Rep. Victors on Committee on Children and Seniors for Tuesday, March 17.

Also, Rep. Curtis to replace Rep. Victors on Committee on Transportation for Monday, March 16, and Wednesday, March 18.

Also, Rep. Sawyer to replace Rep. Victors on Committee on Transportation for Tuesday, March 17, and Thursday, March 19.

Also, Rep. Ousley to replace Rep. Victors on Committee on Agriculture and Natural Resources for Monday,, March 16, and Wednesday, March 18.

Also, Rep. Henderson to replace Rep. Victors on Committee on Agriculture and Natural Resources for Tuesday, March 17, and Thursday, March 19.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, March 16, 2015.

# Journal of the House

## FORTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 16, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 118 members present.

Rep. Sawyer was excused on verified illness.

Rep. Victors was excused on legislative business.

Reps. Ballard, Swanson and Todd were excused on excused absence by the Speaker.

Rep. Kelley was absent.

Prayer by guest chaplain, the Rev. Everett Schultz, First Mennonite Church, Pretty Prairie, and guest of Rep. Seiwert:

Our Father in Heaven,

We come before Thee this morning praising You and thanking you for Your many blessings. We have so much in our land, and we acknowledge that it is from Your Hand. I thank you Father that this great Hall still opens its sessions in prayer. You are the creator of this land, and we are privileged to live in it because of Your grace and mercy upon us. So I thank you that prayer is still observed in this Hall.

Dear Father, please give the people in this room wisdom and guidance. Rule and overrule in their decisions. May Your will be done. Help them to realize that they are dealing with all Kansans' futures. Both those who are older, and those who are just getting started. Help them to realize that we must take care of the economy and not leave a debt so large that we cannot repay it. Help them to be able to deal with the issues and stand up to aggressive constituents, special interest groups, the news media, and their own ambitions, and help them to do the right things for all Kansans. Father, Your word says that "The fear of the Lord is the beginning of wisdom." Your word also states that "if any of you lack wisdom, let him ask of God, that gives to all men liberally and without reproach; and it will be given him." Therefore, Father, I ask that you will give wisdom and understanding. I pray that these people will be able to make decisions that meet the needs of this great state not only for us

today, but also for our children and grand-children.

Father, I realize there are many different viewpoints in this room. But there is only one state of Kansas. Help them to see their way to unifying with each other, regardless of political party or area of the state, so that the good of the entire state is done, and not their own desires and purposes. Work in each one's heart here today Father. I ask that you cause them to do Your will, and not their own, and make all the decisions the correct decisions for Your glory and for the betterment of the state of Kansas.

“Now the God of peace, who brought up from the dead the great Shepherd of the sheep through the blood of the eternal covenant, *even* Jesus our Lord,<sup>21</sup> equip you in every thing to do His will, working in us that which is pleasing in His sight, through Jesus Christ, to whom *be* the glory forever and ever. Amen.”

The Pledge of Allegiance was led by Rep. Seiwert.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2412**, AN ACT concerning municipalities; relating to using the internet as a source for official publications; amending K.S.A. 10-120, 10-1116c, 25-2018, 25-2022, 64-101, 72-2138, 72-7108, 72-8213b, 75-2317, 79-2001, 79-2303, 79-2322, 79-2323a, 79-2804f and 79-2929 and K.S.A. 2014 Supp. 72-6433, 72-8801, 79-2804 and 79-2925b and repealing the existing sections; also repealing K.S.A. 12-1651, by Committee on Appropriations.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Judiciary: **HB 2411**.

## CONSENT CALENDAR

No objection was made to **SB 13** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 13**, AN ACT concerning criminal history record information; definitions; amending K.S.A. 2014 Supp. 22-4701 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney,

Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Kelley, Sawyer, Swanson, Todd, Victors.

The bill passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2371** be passed.

Committee on **Taxation** recommends **HB 2240** be amended on page 3, following line 29, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 74-2433 is hereby amended to read as follows: 74-2433. (a) There is hereby created a state board of tax appeals, referred to in this act as the board. The board shall be composed of three members who shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. For members appointed after June 30, 2014, one of such members shall have been regularly admitted to practice law in the state of Kansas and for a period of at least five years, have engaged in the active practice of law as a lawyer, judge of a court of record or any other court in this state; one of such members shall have engaged in active practice as a certified public accountant for a period of at least five years and one such member shall be a licensed certified general real property appraiser. In addition, the governor shall also appoint a chief hearing officer, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, who, in addition to other duties prescribed by this act, shall serve as a member pro tempore of the board. No successor shall be appointed for any judge of the court of tax appeals appointed before July 1, 2014. Such persons shall continue to serve as members on the board of tax appeals until their terms expire. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the board, including the chief hearing officer, shall exercise any power, duty or function as a member of the board until confirmed by the senate. Not more than two members of the board shall be of the same political party. Members of the board, including the chief hearing officer, shall be residents of the state. Subject to the provisions of K.S.A. 75-4315c, and amendments thereto, no more than one member shall be appointed from any one of the congressional districts of Kansas unless, after having exercised due diligence, the governor is unable to find a qualified replacement within 90 days after any vacancy on the board occurs. The members of the board, including the chief hearing officer, shall be selected with special reference to training and experience for duties imposed by this act and shall be individuals with legal, tax, accounting or appraisal training and experience. State board of tax appeals members shall be subject to the supreme court rules of judicial conduct applicable to all judges of the district court. The board shall be bound by the doctrine of

stare decisis limited to published decisions of an appellate court. Members of the board, including the chief hearing officer, shall hold office for terms of four years. A member may continue to serve for a period of 90 days after the expiration of the member's term, or until a successor has been appointed and confirmed, whichever is shorter. Except as otherwise provided, such terms of office shall expire on January 15 of the last year of such term. If a vacancy occurs on the board, or in the position for chief hearing officer, the governor shall appoint a successor to fill the vacancy for the unexpired term. Nothing in this section shall be construed to prohibit the governor from reappointing any member of the board, including the chief hearing officer, for additional four-year terms. The governor shall select one of its members to serve as chairperson. The votes of two members shall be required for any final order to be issued by the board. Meetings may be called by the chairperson and shall be called on request of a majority of the members of the board and when otherwise prescribed by statute.

(b) Any member appointed to the state board of tax appeals and the chief hearing officer may be removed by the governor for cause, after public hearing conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) The state board of tax appeals shall appoint, subject to approval by the governor, an executive director of the board, to serve at the pleasure of the board. The executive director shall: (1) Be in the unclassified service under the Kansas civil service act; (2) devote full time to the executive director's assigned duties; (3) receive such compensation as determined by the board, subject to the limitations of appropriations thereof; and (4) have familiarity with the tax appeals process sufficient to fulfill the duties of the office of executive director. The executive director shall perform such other duties as directed by the board.

(d) Appeals decided by the state board of tax appeals shall be made available to the public and shall be published by the board on the board's website within 30 days after the decision has been rendered. The board shall also publish a monthly report that includes all appeals decided that month as well as all appeals which have not yet been decided and are beyond the time limitations as set forth in K.S.A. 74-2426, and amendments thereto. Such report shall be made available to the public and transmitted by the board to the members of the Kansas legislature.

(e) After appointment, members of the state board of tax appeals that are not otherwise a state certified general real property appraiser shall complete the following course requirements: (1) A tested appraisal course of not less than 30 clock hours of instruction consisting of the fundamentals of real property appraisal with an emphasis on the cost and sales approaches to value; (2) a tested appraisal course of not less than 30 clock hours of instruction consisting of the fundamentals of real property appraisal with an emphasis on the income approach to value; (3) a tested appraisal course of not less than 30 clock hours of instruction with an emphasis on mass appraisal; (4) an appraisal course with an emphasis on Kansas property tax laws ~~and~~; (5) an appraisal course on the techniques and procedures for the valuation of state assessed properties with an emphasis on unit valuation; and (6) a tested appraisal course on the techniques and procedures for the valuation of land devoted to agricultural use pursuant to K.S.A. 79-1476, and amendments thereto. Any member appointed to the board who is a certified real property appraiser shall only be required to take such educational courses as are required to maintain the appraisal license. The executive director shall adopt rules and regulations prescribing a timetable for the completion of the course requirements



and prescribing continued education requirements for members of the board.

(f) The state board of tax appeals shall have no capacity or power to sue or be sued.

(g) It is the intent of the legislature that proceedings in front of the board of tax appeals be conducted in a fair and impartial manner and that all taxpayers are entitled to a neutral interpretation of the tax laws of the state of Kansas. The provisions of the tax laws of this state shall be applied impartially to both taxpayers and taxing districts in cases before the board. Cases before the board shall not be decided upon arguments concerning the shifting of the tax burden or upon any revenue loss or gain which may be experienced by the taxing district.

Sec. 3. K.S.A. 2014 Supp. 74-2434 is hereby amended to read as follows: 74-2434.

(a) Each member of the board, including the chairperson and chief hearing officer, shall receive an annual salary as provided in this section. Each of the members of the board, including the chief hearing officer, shall devote full time to the duties of such office.

(b) For members, including the chief hearing officer, who are appointed prior to July 1, 2014:

(1) The annual salary of the ~~chief judge chairperson~~ shall be an amount equal to the annual salary paid by the state to a district judge designated as chief judge; and

(2) the annual salary of each ~~judge member~~ other than the ~~chief judge chairperson~~, including the chief hearing officer, shall be an amount which is \$2,465 less than the annual salary of the ~~chief judge chairperson~~.

(c) For members, including the chief hearing officer, who are not state certified real property appraisers who are appointed after June 30, 2014, the annual salary shall be an amount equal to the annual salary paid by the state to an administrative law judge, except that once such member or chief hearing officer completes the course requirements listed in K.S.A. 74-2433(e), and amendments thereto, then the annual salary shall be an amount which is \$2,465 less than the annual salary paid by the state to a district court judge designated as a chief judge.";

And by renumbering sections accordingly;

Also on page 3, in line 30, after "Supp." by inserting "74-2433,"; also in line 30, by striking "is" and inserting "and 74-2434 are"; in line 32, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking the comma and inserting a semicolon; in line 2, after the semicolon by inserting "members, qualifications and salary,"; in line 3, after "Supp." by inserting "74-2433,"; also in line 3, after "74-2433f" by inserting "and 74-2434"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2413**, AN ACT concerning alcoholic beverages; relating to the club and drinking establishment act; creating the art studio permit; amending K.S.A. 2014 Supp. 41-719 and repealing the existing section, by Committee on Federal and State Affairs.

**CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2319** from Committee on Health and Human Services and referral to Committee on Taxation.

Also, the withdrawal of **SB 112** from Committee on Judiciary and referral to Committee on Veterans, Military and Homeland Security.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Ruiz to replace Sawyer on Committee on Taxation on March 16.

Also, Rep. Burroughs to replace Rep. Sawyer on Committee on Elections on March 16.

Also, Rep. McPherson to replace Rep. Todd on Committee on Federal and State Affairs on March 17. Rep. Todd will resume his duties on March 18.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, March 17, 2015.

# Journal of the House

FORTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 17, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Reps. Mason and Victors were excused on legislative business.

Reps. Kelley and Todd were excused on excused absence by the Speaker.

Present later: Rep. Mason.

Prayer by Chaplain Brubaker:

Lord God Almighty,  
Thank You for this another day  
You have given us.  
In the words of St. Patrick,  
I ask this for our leaders today:  
May the Strength of God guide us.  
May the Power of God preserve us.  
May the Wisdom of God instruct us.  
May the Hand of God protect us.  
May the Way of God direct us.  
May the Shield of God defend us.  
May the Angels of God guard us  
against the snares of the evil one.  
May Thy Grace, Lord,  
Always be ours,  
This day, O Lord, and forevermore.  
God, please be with Representative Swanson  
and her family in the death of her brother.  
Bring comfort, peace, grace  
and strength to them.  
In Christ's name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Kelly.

### CELEBRATION OF ST. PATRICK'S DAY

In celebration of St. Patrick's Day, former Senator Rich Gannon played traditional Irish melodies on the bagpipes.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2414**, AN ACT concerning the department of health and environment; relating to the clean water act and clean air act, development of state implementation plans; concerning the legislature, economic impact reports, by Committee on Federal and State Affairs.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2412**.

Federal and State Affairs: **HB 2413**.

### CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2100** from Committee on Appropriations and rereferral to Committee on Children and Seniors.

Also, the withdrawal of **HB 2202** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **SB 91** from Committee on Energy and Environment and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2280** from Committee on Health and Human Services and rereferral to Committee on Taxation.

Also, the withdrawal of **HB 2319** from Committee on Taxation and rereferral to Committee on Health and Human Services.

### MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Schwab, **HR 6019**, A RESOLUTION designating March 2015 as Self-Care Month, was adopted.

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rubin, the House concurred in Senate amendments to **HB 2053**, AN ACT concerning crimes, punishment and criminal procedure; relating to calculation of criminal history; amending K.S.A. 2014 Supp. 21-6810 and 21-6811 and repealing the existing sections.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kelley, Mason, Todd, Victors.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hutton in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Hutton, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2268** be passed.

Committee report to **HB 2382** be adopted; and the bill be passed as amended.

Committee report to **SB 113** be adopted; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 120** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **SB 108** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2014 Supp. 58-3046a is hereby amended to read as follows: 58-3046a. (a) Except as provided in K.S.A. 58-3040, and amendments thereto, any person who applies for an original license in this state as a salesperson shall submit evidence, satisfactory to the commission, of attendance of a principles of real estate course, of not less than 30 hours of instruction, approved by the commission and received within the 12 months immediately preceding the filing of application for salesperson's license. The commission may require the evidence to be furnished to the commission with the original application for license or it may require the applicant to furnish the evidence to the testing service designated by the commission as a prerequisite to taking the examination required by K.S.A. 58-3039, and amendments thereto. If the evidence is furnished to the testing service, the instruction shall have been received within 12 months immediately preceding the date of the examination.

(b) Except as provided in K.S.A. 58-3040, and amendments thereto, any person who applies for an original license in this state as a broker shall submit evidence, satisfactory to the commission, of attendance of 24 hours of instruction, approved by the commission and received within the 12 months immediately preceding the filing of application for broker's license. Such hours shall be in addition to any hours of instruction used to meet the requirements of subsection (c), (d), (e) or (f). The commission may require the evidence to be furnished to the commission with the original application for license, or it may require the applicant to furnish the evidence to the testing service designated by the commission as a prerequisite to taking the examination provided in K.S.A. 58-3039, and amendments thereto. If the evidence is

furnished to the testing service, the instruction shall have been received within 12 months immediately preceding the date of the examination.

(c) Any person who applies for an original license in this state as a salesperson on or after July 1, 2007, shall submit evidence, satisfactory to the commission, of attendance of a Kansas real estate practice course, of not less than 30 hours of instruction, approved by the commission and received within the six months immediately preceding the filing of the application for licensure.

(d) Any person who applies for an original license in this state as a broker on or after July 1, 2007, who is a nonresident of Kansas or who is a resident of Kansas applying for licensure pursuant to ~~subsection (e)~~ of K.S.A. 58-3040~~(e)~~, and amendments thereto, shall submit evidence, satisfactory to the commission, of attendance of a Kansas real estate course, of not less than four hours of instruction and received within the six months immediately preceding the filing of the application for licensure. Such course shall be approved by the commission and shall be specific to Kansas law with primary emphasis on issues that arise under the brokerage relationships in real estate transactions act, K.S.A. 58-30,101 et seq., and amendments thereto, and rules or regulations adopted thereunder.

(e) At or prior to each renewal date established by the commission, any person who is licensed in this state as a broker or as a salesperson shall submit evidence, satisfactory to the commission, of attendance of not less than 12 hours of ~~additional instruction~~ continuing education approved by the commission and received during the renewal period.

(f) Any person who obtains a temporary license in this state as a salesperson prior to July 1, 2007, shall submit evidence, satisfactory to the commission, of attendance of courses of instruction approved by the commission as follows:

(1) No later than ten days prior to the expiration date of the temporary license, 30 hours of instruction received after the date of licensure.

(2) At or prior to the first renewal of a license issued pursuant to K.S.A. 58-3039, and amendments thereto, 12 hours of ~~additional instruction~~ continuing education received during the renewal period. Such evidence shall not be required until the second license renewal if the license expires less than six months after issuance.

(3) At or prior to each license renewal thereafter, 12 hours of ~~additional instruction~~ continuing education received during the renewal period.

(g) Any person who qualifies for original licensure as a salesperson pursuant to K.S.A. 58-3039, and amendments thereto, on or after July 1, 2007, shall not be required to comply with subsection (e) until the second license renewal period if the license expires less than six months after it is issued.

(h) Except for courses reviewed pursuant to subsection (k), courses of instruction required by this section shall be courses approved by the commission and offered by:

(1) An institution which is accredited by the north central association of colleges and secondary schools accrediting agency;

(2) ~~an area vocational or vocational-technical school~~ a technical college as defined by K.S.A. 72-4412, and amendments thereto;

(3) a private or out-of-state postsecondary educational institution which has been issued a certificate of approval pursuant to the Kansas private and out-of-state postsecondary educational institution act;

(4) any agency of the state of Kansas; ~~or~~

- (5) a similar institution, approved by the commission, in another state; or  
 (6) an entity, approved by the commission, to provide continuing education.

(i) The commission shall adopt rules and regulations to: (1) Prescribe minimum curricula and standards for all courses offered to fulfill education requirements of this act; (2) designate a course of study to fulfill any specific requirement, which may include a testing requirement; (3) prescribe minimum qualifications for instructors of approved courses; and (4) establish standards and procedures for approval of courses and instructors, monitoring courses, advertising, registration and maintenance of records of courses, and withdrawal of approval of courses and instructors.

(j) The commission may approve distance education courses consisting solely or primarily of instruction provided online or in other computer-assisted formats, or by correspondence, audiotape, videotape or other media. For the purposes of this section, attendance of one hour of instruction shall mean 50 minutes of classroom instruction or the equivalent thereof in distance education study as determined by the commission.

(k) Courses of instruction required by this section shall be courses approved by the commission either before or after their completion. The commission may give credit toward the 12 hours of ~~additional instruction~~ continuing education required by subsection (e) or (f) to any licensee who submits an application for course review obtained from the commission and pays the fee prescribed by K.S.A. 58-3063, and amendments thereto, if, in the judgment of the commission, the course meets the objectives of continuing education.

(l) The commission shall publish annually a list of educational institutions and entities and the courses offered by them in this state which are approved by the commission.

(m) No license shall be issued or renewed unless the applicable requirements set forth in this section are met within the time prescribed.

Sec. 2. K.S.A. 2014 Supp. 58-3050 is hereby amended to read as follows: 58-3050.

(a) Except as provided in subsection (b) and (c), the commission may refuse to grant or renew a license and the license of any licensee may be revoked, suspended, conditioned or restricted or a licensee may be censured, if:

(1) The licensee or applicant has committed a violation of this act or rules and regulations adopted hereunder, or the brokerage relationships in real estate transactions act or rules and regulations adopted thereunder;

(2) the licensee or applicant has entered a plea of guilty or nolo contendere to, or has been convicted of any misdemeanor which reflects on the licensee's or applicant's honesty, trustworthiness, integrity or competence to transact the business of real estate;

(3) the licensee or applicant has been finally adjudicated and found to be guilty of violation of the federal fair housing act (42 U.S.C. § 3601 et seq.) or K.S.A. 44-1015 through 44-1029, and amendments thereto;

(4) the licensee or applicant has obtained or reinstated, or attempted to obtain or reinstate, a license by false or fraudulent representation;

(5) the licensee or applicant has violated any lawful order or directive of the commission; or

(6) the licensee or applicant has committed a violation in another state and disciplinary action taken against such licensee or applicant resulted in the suspension, probation or revocation of such licensee's or applicant's real estate license in such other state.

(b) Except as provided in subsection (c), the commission shall suspend or revoke the license of any licensee who has entered a plea of guilty or nolo contendere to, or has been convicted of any felony.

(c) The provisions of subsection (b) shall not apply to any person who:

(1) Is currently licensed under this act;

(2) has entered a plea of guilty or nolo contendere to, or has been convicted of any offense specified in subsection (b); and

(3) has disclosed such plea or conviction in such person's application for any license or renewal thereof on or before July 1, 2007, prior to the commission's action on such application.

(d) (1) In addition to or in lieu of any other administrative, civil or criminal remedy provided by law, the commission, in accordance with the Kansas administrative procedure act and upon a finding that a licensee has violated a provision of this act or rules and regulations adopted hereunder, or the brokerage relationships in real estate transactions act or rules and regulations adopted thereunder, may impose on such licensee a civil fine not exceeding \$1,000 for each violation.

(2) A civil fine not exceeding \$5,000 per violation may be imposed if the commission makes specific findings that aggravating circumstances exist and that the licensee:

(A) Misappropriated funds belonging to another person;

(B) engaged in fraud or made any substantial misrepresentation;

(C) represented to a lender, guaranteeing agency or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(D) committed forgery or signed or initialed a contractual agreement on behalf of another person in a real estate transaction unless authorized to do so by a duly executed power of attorney; or

(E) intentionally failed to disclose to a client or customer all adverse material facts actually known by the licensee regarding environmental hazards affecting the property that are required by law to be disclosed, the physical condition of the property, material defects in the real property, defects in the title to the real property or the client's or customer's ability to perform under the terms of the agreement.

(e) For the purposes of subsection (d), the term "aggravating circumstances" means:

(1) The licensee's conduct involved fraud or deceit; and

(2) (A) the licensee's conduct directly resulted in substantial loss or created a significant risk of substantial loss to a customer or client; or

(B) the licensee's conduct resulted in substantial financial gain to the licensee; or

(C) the licensee has a history of prior disciplinary actions involving violations similar to the violations described in subsection (d)(2).

(f) In all matters pending before the commission, the commission shall have the power to revoke the license of any licensee who voluntarily surrenders such licensee's license or who does not renew such license pending investigation of misconduct or while charges of misconduct are pending or anticipated.

(g) If a broker or salesperson has been declared incompetent by a court of competent jurisdiction, the commission shall suspend the broker's or salesperson's



license for the period of disability.

(h) (1) Except as provided by paragraph (2) of this subsection, no complaint alleging violation of this act or rules and regulations adopted hereunder, or the brokerage relationships in real estate transactions act or rules and regulations adopted thereunder, shall be commenced more than three years from the date of the occurrence which is the subject of the complaint.

(2) Unless the violation is not reasonably ascertainable, complaints alleging violation of subsection (a)(4) or (a)(5) shall be commenced within three years from the date of the occurrence of the violation. If the violation is not reasonably ascertainable, complaints alleging violation of subsection (a)(4) or (a)(5) shall be commenced within three years from the date of violation is ascertained by the commission.

(i) All administrative proceedings pursuant to this section shall be conducted in accordance with the Kansas administrative procedure act.

(j) Notwithstanding any provision of this act or the brokerage relationships in real estate transactions act to the contrary, the commission may use emergency adjudicative proceedings, as provided by K.S.A. 77-536, and amendments thereto, to summarily suspend the license of any licensee if the commission has reasonable cause to believe that the licensee's trust account is in unsound condition or that the licensee is misappropriating funds belonging to other persons.

(k) If a licensee has entered a plea of guilty or nolo contendere to, or has been convicted of, any felony charge, the commission may use emergency adjudicative proceedings, as provided by K.S.A. 77-536, and amendments thereto, to suspend or revoke the licensee's license.

(l) When the real estate license of an individual is revoked and that individual's name is included in the trade or business name of a real estate brokerage business, the commission may deny continued use of the trade or business name if, in the opinion of the commission, it would be confusing or misleading to the public.

(m) The commission shall be authorized to recover from the fine imposed the commission's actual costs to investigate and prosecute a disciplinary case against a licensee, including attorney fees. The portion of the fine amount collected that equals the commission's actual costs related to the investigation and prosecution of the case and attorney fees, as certified by the executive director of the commission to the state treasurer, shall be credited to the real estate commission fee fund. The balance of the fine amount collected shall be credited to the state general fund.

Sec. 3. K.S.A. 2014 Supp. 58-3062 is hereby amended to read as follows: 58-3062.  
(a) No licensee, whether acting as an agent, transaction broker or a principal, shall:

(1) Fail to account for and remit any money which comes into the licensee's possession and which belongs to others.

(2) Misappropriate moneys required to be deposited in a trust account pursuant to K.S.A. 58-3061, and amendments thereto, convert such moneys to the licensee's personal use or commingle the money or other property of the licensee's principals with the licensee's own money or property, except that nothing herein shall prohibit a broker from having funds in an amount not to exceed \$100 in the broker's trust account to pay expenses for the use and maintenance of such account.

(3) Accept, give or charge any rebate or undisclosed commission.

(4) Pay a referral fee to a person who is properly licensed as a broker or salesperson in Kansas or another jurisdiction or who holds a corporate real estate license in another

jurisdiction if the licensee knows that the payment of the referral fee will result in the payment of a rebate by the Kansas or out-of-state licensee.

(5) Represent or attempt to represent a broker without the broker's express knowledge and consent.

(6) Guarantee or authorize any person to guarantee future profits that may result from the resale of real property.

(7) Place a sign on any property offering it for sale or lease without the written consent of the owner or the owner's authorized agent.

(8) Offer real estate for sale or lease without the knowledge and consent of the owner or the owner's authorized agent or on terms other than those authorized by the owner or the owner's authorized agent.

(9) Induce any party to break any contract of sale or lease.

(10) Pay a commission or compensation to any person, not licensed under this act, for performing any activity for which a license is required under this act.

(11) Fail to see that financial obligations and commitments between the parties to an agreement to sell, exchange or lease real estate are in writing, expressing the exact agreement of the parties or to provide, within a reasonable time, copies thereof to all parties involved.

(12) Procure a signature to a purchase contract which has no definite purchase price, method of payment, description of property or method of determining the closing date.

(13) Engage in fraud or make any substantial misrepresentation.

(14) Represent to any lender, guaranteeing agency or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon.

(15) Fail to make known to any purchaser or lessee any interest the licensee has in the real estate the licensee is selling or leasing or to make known to any seller or lessor any interest the licensee will have in the real estate the licensee is purchasing or leasing.

(16) Fail to inform both the buyer, at the time an offer is made, and the seller, at the time an offer is presented, that certain closing costs must be paid and the approximate amount of such costs.

(17) Fail without just cause to surrender any document or instrument to the rightful owner.

(18) Accept anything other than cash as earnest money unless that fact is communicated to the owner prior to the owner's acceptance of the offer to purchase, and such fact is shown in the purchase agreement.

(19) Fail to deposit any check or cash received as an earnest money deposit or as a deposit on the purchase of a lot within five business days after the purchase agreement or lot reservation agreement is signed by all parties, unless otherwise specifically provided by written agreement of all parties to the purchase agreement or lot reservation agreement, in which case the licensee shall deposit the check or cash received on the date provided by such written agreement.

(20) Fail to respond in a timely manner to any request from the commission or the commission's designee for documents or information that concerns directly or indirectly any real estate transaction or the licensee's real estate business.

(21) Refuse to appear or testify under oath at any hearing held by the commission.

(22) Demonstrate incompetency to act as a broker, associate broker or salesperson.

(23) Except as provided by K.S.A. 40-2404, and amendments thereto, knowingly receive or accept, directly or indirectly, any rebate, reduction or abatement of any charge, or any special favor or advantage or any monetary consideration or inducement, involving the issuance of a title insurance policy or contract concerning which the licensee is directly or indirectly connected, from a title insurance company or title insurance agent, or any officer, employee, attorney, agent or solicitor thereof.

(24) Engage in the purchase of one-, two-, three- or four-family dwellings, including condominiums and cooperatives, or the acquisition of any right, title or interest therein, including any equity or redemption interests, if:

(A) (i) At the time of such purchase, the dwellings are subject to a right of redemption pursuant to foreclosure of a mortgage on such dwellings; (ii) the licensee fails to give written notice of the purchase, within 20 days thereafter, to the mortgage holder or judgment creditor who held such mortgage; and (iii) the licensee, unless otherwise required by law or court order, fails to apply any rent proceeds from the dwellings to the judgment lien arising from the foreclosure of such mortgage, as payments become due under the loan, regardless of whether the licensee is obligated to do so;

(B) (i) the dwellings are subject to a loan which is secured by a mortgage and which is in default at the time of such purchase or in default within one year after such purchase; (ii) the licensee fails to give written notice of the purchase, within 20 days thereafter, to the mortgage holder; and (iii) the licensee, unless otherwise required by law or court order, fails to apply any rent proceeds from the dwellings to the mortgage as the payments come due, regardless of whether the licensee is obligated on the loan; or

(C) the licensee fails to notify, at the time of rental, any person renting any such dwelling of the extent and nature of the licensee's interest in such dwelling and the probable time until possession will be taken by the mortgage holder or judgment creditor.

(25) Commit forgery or, unless authorized to do so by a duly executed power of attorney, sign or initial any contractual agreement on behalf of another person in a real estate transaction.

(26) Enter into contracts with persons not licensed by the commission to perform services requiring a license under K.S.A. 58-3034 et seq., and amendments thereto, except as provided by K.S.A. 58-3077, and amendments thereto.

(b) No salesperson or associate broker shall:

(1) Except as provided in subparagraph (A) or (B), accept a commission or other valuable consideration from anyone other than the broker by whom the licensee is employed or with whom the licensee is associated as an independent contractor.

(A) A salesperson or associate broker may accept a commission or other valuable consideration from a licensee who employs the salesperson or associate broker as a personal assistant provided that: (i) The licensee and the salesperson or associate broker who is employed as a personal assistant are licensed under the supervision of the same broker; and (ii) the supervising broker agrees in writing that the personal assistant may be paid by the licensee.

(B) If a salesperson or associate broker has organized as an association, corporation, limited liability company, limited liability partnership, partnership or

professional corporation, the commission or other valuable consideration may be paid by the licensee's broker to such association, corporation, limited liability company, limited liability partnership, partnership or professional corporation. This provision shall not alter any other provisions of this act.

(2) Fail to place, as soon after receipt as practicable, any deposit money or other funds entrusted to the salesperson or associate broker in the custody of the broker whom the salesperson or associate broker represents.

(3) (A) Except as provided by subparagraph (B), be employed by or associated with a licensee at any one time other than the supervising broker who employs such salesperson or associate broker or with who the salesperson or associate broker is associated as an independent contractor.

(B) An associate broker may be employed by or associated with more than one supervising broker at any one time if each supervising broker who employs or associates with the associate broker consents to such multiple employment or association. Such consent shall be on a form provided by the commission and shall not be effective until a signed copy of the completed form has been filed with the commission.

(4) Except as provided by subsection (b), pay a commission or compensation to any person for performing any activity for which a license is required under this act.

(5) (A) Fail to disclose to such salesperson's or associate broker's supervising broker or branch broker that such salesperson or associate broker is performing any activity for which a license is required under K.S.A. 58-3036, and amendments thereto; or (B) perform any activity for which a license is required under K.S.A. 58-3036, and amendments thereto, outside the supervision of the supervising broker or branch broker. The provisions of this subsection shall not apply to any activity or person exempted from the real estate brokers' and salespersons' license act pursuant to K.S.A. 58-3037, and amendments thereto.

(6) Fail to submit to the supervising broker or branch broker, within 10 business days, any document that must be maintained in the supervising broker's or branch broker's business records for each real estate transaction. The ten-day period shall commence when the document is executed by the client or customer or, if a signature is not required or is not obtained, upon presentation of a document to the client or customer.

(c) No broker shall:

(1) Pay a commission or compensation to any person for performing the services of an associate broker or salesperson unless such person is licensed under this act and employed by or associated with the broker.

(2) Fail to deliver to the seller in every real estate transaction, at the time the transaction is closed, a complete, detailed closing statement showing all of the receipts and disbursements handled by the broker for the seller, or fail to deliver to the buyer a complete statement showing all money received in the transaction from such buyer and how and for what the same was disbursed, or fail to retain true copies of such statements in the broker's files, except that the furnishing of such statements to the seller and buyer by an escrow agent shall relieve the broker's responsibility to the seller and the buyer.

(3) Fail to properly supervise the activities of an associated or employed salesperson or associate broker.

(4) Lend the broker's license to a salesperson, or permit a salesperson to operate as a broker.

(5) Fail to provide to the principal a written report every 30 days, along with a final report, itemizing disbursements made by the broker from advance listing fees.

(d) (1) If a purchase agreement provides that the earnest money be held by an escrow agent other than a real estate broker, no listing broker shall:

(A) Fail to deliver the purchase agreement and earnest money deposit to the escrow agent named in the purchase agreement within five business days after the purchase agreement is signed by all parties unless otherwise specifically provided by written agreement of all parties to the purchase agreement, in which case the broker shall deliver the purchase agreement and earnest money deposit to the escrow agent named in the purchase agreement on the date provided by such written agreement; or

(B) fail to obtain and keep in the transaction file a receipt from the escrow agent showing date of delivery of the purchase agreement and earnest money deposit.

(2) If a purchase agreement provides that the earnest money be held by an escrow agent other than a real estate broker and the property was not listed with a broker, no broker for the buyer shall:

(A) Fail to deliver the purchase agreement and earnest money deposit to the escrow agent named in the purchase agreement within five business days after the purchase agreement is signed by all parties unless otherwise specifically provided by written agreement of all parties to the purchase agreement, in which case the broker shall deliver the purchase agreement and earnest money deposit to the escrow agent named in the purchase agreement on the date provided by such written agreement; or

(B) fail to obtain and keep in the transaction file a receipt from the escrow agent showing date of delivery of the purchase agreement and earnest money deposit.

(3) If a purchase agreement provides that the earnest money be held by an escrow agent other than a real estate broker and neither the seller nor buyer is represented by a broker, no transaction broker shall:

(A) Fail to deliver the purchase agreement and earnest money deposit to the escrow agent named in the purchase agreement within five business days after the purchase agreement is signed by all parties unless otherwise specifically provided by written agreement of all parties to the purchase agreement, in which case the broker shall deliver the purchase agreement and earnest money deposit to the escrow agent named in the purchase agreement on the date provided by such written agreement; or

(B) fail to obtain and keep in the transaction file a receipt from the escrow agent showing date of delivery of the purchase agreement and earnest money deposit.

The commission may adopt rules and regulations to require that such purchase agreement which provides that the earnest money be held by an escrow agent other than a real estate broker include: (1) Notification of whether or not the escrow agent named in the purchase agreement maintains a surety bond; and (2) notification that statutes governing the disbursement of earnest money held in trust accounts of real estate brokers do not apply to earnest money deposited with the escrow agent named in the purchase agreement.

(e) No licensee shall:

(1) Threaten to engage in or engage in physical abuse or engage in harassment towards:

(A) A client or customer or a former client or customer;

- (B) another licensee;
- (C) commission members or staff;
- (D) staff of the office of administrative hearings;
- (E) staff from any real estate trade association or multiple listing service; or
- (F) any person from another business or industry whose services are requested or required as part of a real estate transaction;

(2) threaten to file or file a lien on residential property;

(3) conduct real estate business with impaired judgment or objectivity as the result of mental illness or addiction to alcohol or controlled substances;

(4) be finally adjudicated by a federal or state agency and found to be guilty of a violation of a federal or state law regulating the real estate industry or regulating a closely related industry whose licensees or members are commonly involved in real estate matters;

(5) be finally adjudicated by a federal or state agency and found to be guilty of a violation of a federal or state law prohibiting discrimination against any client or customer on the basis of color, race, gender, religion, national origin, age, disability or familial status; or

(6) intentionally misappropriate or misuse any personal property or real property of a client or customer.

(f) No applicant or licensee shall:

(1) Engage in fraud or make any substantial misrepresentation to the commission;

(2) commit forgery in any representation or document submitted to the commission;

(3) sign or initial, on behalf of another person, any application, for or accompanying document submitted to the commission unless authorized to do so by a duly executed power of attorney;

(4) interfere with any investigation, administrative proceeding, quasi-judicial proceeding or any other disciplinary matter of the commission, including, but not limited to:

(A) Threatening to engage in or engaging in physical abuse or harassment toward any witness, complainant or individual listed in subsection (e)(1);

(B) destroying evidence;

(C) refusing or failing to appear or testify under oath at any hearing; or

(D) refusing or failing to respond in a timely manner to any request from the commission or the commission's designee for documents or information that concerns directly or indirectly any real estate transaction or the licensee's real estate business;

(5) fail without just cause to surrender any document or instrument to the rightful owner; or

(6) demonstrate incompetency to act as a broker, associate broker or salesperson in dealings with the commission, including the repeated failure to:

(A) Submit required forms to the commission in a timely and complete manner;

(B) make available to the commission all records relating to the real estate business; or

(C) comply with the provisions of this subsection.

(g) A branch broker shall not be employed by or associated with more than one supervising broker at any one time unless each supervising broker who employs or associates with the branch broker consents to such multiple employment or association.

Such consent shall be on a form provided by the commission and shall not be effective until a signed copy of the completed form has been filed with the commission.

~~(g)~~(h) Nothing in this section shall be construed to grant any person a private right of action for damages or to eliminate any right of action pursuant to other statutes or common law.

Sec. 4. K.S.A. 2014 Supp. 58-30,103 is hereby amended to read as follows: 58-30,103. (a) Except when acting as a transaction broker or solely as a seller, buyer, landlord or tenant, a broker shall act only as a statutory agent in any real estate transaction. A licensee shall not act as a dual agent or in a dual capacity of agent and undisclosed principal in any transaction.

(b) A broker may work with a single party in separate transactions pursuant to different relationships, including, but not limited to, selling one property as a seller's agent and working with that seller in buying another property as a buyer's agent if the broker complies with this act in establishing the relationships for each transaction. A broker who has been working with a seller, landlord, buyer or tenant as a transaction broker may act as an agent for the seller, landlord, buyer or tenant if the broker complies with this act in establishing the agency relationship.

(c) A broker may be engaged as a transaction broker by oral or written agreement with the seller, landlord, buyer or tenant. A broker shall be considered a transaction broker unless:

(1) An agency relationship between the broker and the party to be represented is established pursuant to this section; or

(2) a broker works with a buyer or tenant as a subagent of the seller or landlord by accepting an offer of subagency.

(d) (1) Except as provided in subsection (d)(2), a broker intending to establish an agency relationship with a seller or landlord shall enter into a written agency agreement with the party to be represented prior to the licensee's engaging in any of the activities enumerated in ~~subsection (f) of~~ K.S.A. 58-3035(f), and amendments thereto, as an employee of, or on behalf of, the seller or landlord.

(2) If the real estate which is to be offered for sale is owned by any agency of the federal government, a broker may, on behalf of the owner, engage in activities enumerated in ~~subsection (f) of~~ K.S.A. 58-3035(f), and amendments thereto, after obtaining verbal authorization from the federal agency for which services are to be performed.

(e) To establish an agency relationship with a buyer or tenant, a broker shall enter into a written agency agreement with the party to be represented no later than the signing of an offer to purchase or lease.

(f) An agency agreement or written transaction brokerage agreement shall set forth the terms and conditions of the relationship, including a fixed date of expiration, any limitation on the duty of confidentiality and the terms of compensation, and shall refer to the duties and obligations pursuant to K.S.A. 58-30,106, 58-30,107 or 58-30,113, and amendments thereto. The agreement shall be signed by the party to be represented and by the broker or a licensee affiliated with the broker. A copy of the agreement shall be furnished to the customer or client at the time the customer or client signs the agreement. If, at the time the customer or client signs the agreement, the agreement is not signed by the broker or a licensee affiliated with the broker, the broker or a licensee affiliated with the broker shall furnish a copy of the agreement to the customer or client



within a reasonable time after the agreement is signed by the broker or a licensee affiliated with the broker.

(g) An agency agreement with a seller or landlord shall include any potential:

(1) For the seller's agent or landlord's agent to act as a transaction broker;

(2) for an affiliated licensee to act as a designated agent for the buyer and the designated agent's supervising broker or branch broker, and an affiliated licensee if applicable, to act as a transaction broker; or

(3) for the broker to designate an affiliated licensee to act as the designated agent for the seller on the broker's personal listing pursuant to ~~subsection (b)(2) of~~ K.S.A. 58-30,109**(b)(2)**, and amendments thereto.

(h) An agency agreement with a buyer or tenant shall include any potential:

(1) For the buyer's agent or tenant's agent to act as a transaction broker; or

(2) for an affiliated licensee to act as a designated agent for the seller and the designated agent's supervising broker or branch broker, and an affiliated licensee if applicable, to act as a transaction broker.

(i) An agency agreement or written transaction brokerage agreement shall not contain an authorization for the broker to sign or initial any document on behalf of the broker's customer or client in a real estate transaction or authorization for the broker to act as attorney-in-fact for the customer or client.

(j) An agency agreement or written transaction brokerage agreement with a seller shall not provide that the broker's commission be based on the difference between the gross sales price and the net proceeds to the owner.

(k) The broker shall not assign, sell or otherwise transfer a written agency agreement or written transaction brokerage agreement to another broker without the express written consent of all parties to the original agreement.

(l) A licensee shall not solicit an agency agreement or written transaction brokerage agreement from a seller or landlord if the licensee knows that the seller or landlord has, with regard to the property, an agency agreement or written transaction brokerage agreement granting an exclusive right to sell or exclusive agency to another broker.

(m) A licensee shall not solicit an agency agreement or written transaction brokerage agreement from a buyer or tenant if the licensee knows that the buyer or tenant has a written agency agreement or written transaction brokerage agreement granting an exclusive brokerage relationship to another broker.

(n) A licensee shall not induce any party to break any agency agreement or written transaction brokerage agreement.

(o) If a licensee knows that a buyer or tenant has an agency agreement or written transaction brokerage agreement granting an exclusive brokerage relationship to another broker, the licensee shall not contact the buyer or tenant and shall not initiate negotiations for the sale, exchange or lease of real estate with the buyer or tenant. The licensee may negotiate the sale, exchange or lease of real estate directly with the buyer or tenant with the informed consent of the buyer or tenant. The informed consent shall be evidenced by a consent agreement signed by the buyer or tenant prior to any such direct negotiation. The consent agreement shall acknowledge the buyer or tenant agency agreement or written transaction brokerage agreement and that the buyer or tenant may be liable for compensation under the terms of the agency agreement or written transaction brokerage agreement. The commission, by rules and regulations, shall adopt a consent agreement to be used by licensees pursuant to this subsection.



(p) A licensee shall not contact the seller or landlord or negotiate a sale, exchange or lease of real estate directly with a seller or landlord if the licensee knows that the seller or landlord has an exclusive agency agreement or exclusive right to sell agreement with another broker. A buyer's or tenant's agent or a subagent may present an offer to the seller or landlord if the ~~seller's or landlord's agent~~ or transaction broker of the seller or landlord is present.

Sec. 5. K.S.A. 58-30,106 is hereby amended to read as follows: 58-30,106. (a) A seller's agent or a landlord's agent shall be a statutory agent with the duty and obligation to:

(1) Perform the terms of the written agreement made with the client;  
 (2) promote the interests of the client with the utmost good faith, loyalty and fidelity, including:

(A) presenting in a timely manner all offers to and from the client, when such offer is received prior to the closing of the sale unless the seller instructs the broker in the agency agreement not to submit offers after an offer has been accepted by the seller;

(B) disclosing to the client all adverse material facts actually known by the licensee about the buyer or tenant; and

(C) advising the client to obtain expert advice as to material matters about which the licensee knows but the specifics of which are beyond the expertise of the licensee;

(3) account in a timely manner for all money and property received;

(4) comply with all requirements of this act and rules and regulations adopted hereunder; and

(5) comply with any applicable federal, state and local laws, rules and regulations and ordinances, including fair housing and civil rights statutes and rules and regulations.

(b) If pursuant to subsection (a)(2)(C), the licensee advised the client to obtain expert advice as to material matters about which the licensee knows but the specifics of which are beyond the expertise of the licensee, no cause of action for any person shall arise against the licensee pertaining to such material matters.

(c) A seller's or landlord's agent shall not disclose any confidential information about the client unless disclosure is required by statute or rule and regulation or failure to disclose the information would constitute fraudulent misrepresentation. No cause of action for any person shall arise against a licensee acting as a seller's or landlord's agent for making any required or permitted disclosure.

(d) (1) A seller's or landlord's agent owes no duty or obligation to a customer, except that a licensee shall disclose to any customer all adverse material facts actually known by the licensee, including, but not limited to:

(A) Any environmental hazards affecting the property which are required by law to be disclosed;

(B) the physical condition of the property;

(C) any material defects in the property;

(D) any material defects in the title to the property; or

(E) any material limitation on the client's ability to perform under the terms of the contract.

(2) A seller's or landlord's agent owes no duty to conduct an independent inspection of the property for the benefit of the customer and owes no duty to independently verify the accuracy or completeness of any statement made by the client or any qualified third

party.

(3) Except as provided in subsection (d)(4), a seller's or landlord's agent is not required to disclose to a client or customer information relating to the physical condition of the property if a written report regarding the physical condition of the property has been prepared by a qualified third party and provided to the client or customer.

(4) A seller's or landlord's agent shall disclose to the client or customer any facts actually known by the licensee that were omitted from or contradict any information included in a written report described in subsection (d)(3).

(5) In performing an investigation or inspection and in making a disclosure in connection with a real estate transaction, a licensee shall exercise the degree of care expected to be exercised by a reasonably prudent person who has the knowledge, skills and training required for licensure as a broker or salesperson.

(e) A seller's or landlord's agent may provide assistance to the customer by performing ministerial acts. Performing ministerial acts for the customer shall not be construed as violating the brokerage firm's agency with the seller or landlord and shall not be construed as forming an agency with the customer.

(f) A seller's or landlord's agent may show alternative properties not owned by the client to prospective buyers or tenants and may list competing properties for sale or lease without breaching any duty or obligation to the client.

(g) A seller or landlord may agree in writing with a seller's or landlord's agent that the broker may offer subagency and pay compensation to other brokers.

(h) A seller or landlord may agree in writing with a seller's or landlord's agent that the broker may offer to cooperate with a buyer's or tenant's agent or to cooperate with and pay compensation to a buyer's or tenant's agent.

(i) A seller or landlord may agree in writing with a seller's or landlord's agent that the broker may offer to cooperate with a transaction broker or to cooperate with and pay compensation to a transaction broker.

(j) If the seller or landlord has authorized the broker to offer cooperation with other licensees pursuant to subsection (g), (h) or (i) the broker shall not refuse permission to another licensee to show a listed property or refuse to receive and transmit to the seller or landlord a written offer ~~or on~~ a listed property from another licensee unless specifically instructed by the seller in writing. The broker shall provide a copy of the written instructions to another licensee upon request.

(k) A seller's or landlord's agent shall not be liable for punitive or exemplary damages for the licensee's failure to perform any of the duties set forth in this section, unless such failure is shown by clear and convincing evidence that the licensee acted toward the plaintiff with willful conduct, wanton conduct, fraud or malice.";

On page 2, in line 35, before "K.S.A" by inserting "K.S.A. 58-30,106 and"; also in line 35, after "Supp." by inserting "58-3046a, 58-3050, 58-3062,"; also in line 35, by striking "is" and inserting "and 58-30,103 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "fees;" by inserting "licensure; technical amendments;"; also in line 2, after "amending" by inserting "K.S.A. 58-30,106 and"; also in line 2, after "Supp." by inserting "58-3046a, 58-3050, 58-3062,"; also in line 2, after "58-3063" by inserting "and 58-30,103"; in line 3 by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2224** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2224," as follows:

"Substitute for HOUSE BILL NO. 2224

By Committee on Federal and State Affairs

"AN ACT concerning technical professions; amending K.S.A. 2014 Supp. 74-7003 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2224** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HB 2362** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2362," as follows:

"Substitute for HOUSE BILL NO. 2362

By Committee on Health and Human Services

"AN ACT concerning certain licensees of the state board of healing arts; resident active license; access to health care records; amending K.S.A. 65-2811a, 65-2852, as amended by section 21 of chapter 131 of the 2014 Session Laws of Kansas, 65-2857, as amended by section 22 of chapter 131 of the 2014 Session Laws of Kansas, 65-2860, as amended by section 24 of chapter 131 of the 2014 Session Laws of Kansas, 65-28a02, as amended by section 42 of chapter 131 of the 2014 Session Laws of Kansas, 65-28a08, as amended by section 47 of chapter 131 of the 2014 Session Laws of Kansas, 65-4941 and 65-4942 and K.S.A. 2013 Supp. 65-1626, as amended by section 4 of chapter 131 of the 2014 Session Laws of Kansas, 65-2809, as amended by section 7 of chapter 131 of the 2014 Session Laws of Kansas, 65-2836, as amended by section 10 of chapter 131 of the 2014 Session Laws of Kansas, 65-2895, as amended by section 36 of chapter 131 of the 2014 Session Laws of Kansas, 65-28,127, as amended by section 40 of chapter 131 of the 2014 Session Laws of Kansas, 65-28a03, as amended by section 43 of chapter 131 of the 2014 Session Laws of Kansas, 65-4101, as amended by section 50 of chapter 131 of the 2014 Session Laws of Kansas and 72-8252, as amended by section 54 of chapter 131 of the 2014 Session Laws of Kansas and K.S.A. 2014 Supp. 65-6824 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2362** was thereupon introduced and read by title.)

Committee on **Insurance** recommends **SB 76** be passed.

Committee on **Insurance** recommends **SB 47** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Pensions and Benefits** recommends **HB 2095**, be amended by adoption of the amendments recommended by House Committee on Pensions and Benefits as reported in the Journal of the House on February 12, 2015, and the bill as printed with House committee amendments be further amended on page 4, in line 4, by striking "2016" and inserting "2015";

On page 6, in line 24, by striking "2016" and inserting "2015"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **SB 228** be amended on page 4, in line 41, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 21**, **SB 72** be passed.

Committee on **Transportation** recommends **SB 43** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2415**, AN ACT concerning property taxation; relating to consolidated fire districts, powers and duties of the governing body; amending K.S.A. 2014 Supp. 12-3915 and repealing the existing section, by Committee on Taxation.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6015**, **HR 6016** reported correctly enrolled and properly signed on March 17, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 18, 2015.

# Journal of the House

## FORTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 18, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Rep. Victors was excused on legislative business.

Reps. W. Carpenter and Kelley were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,  
We begin today's session pausing to  
thank You for the gift of life and this day.  
As our leaders continue their work  
on the various bills,  
I pray that as leaders they will  
bring people together – not cause more division;  
dare to take risks – not settle for the path of least resistance.  
May they encourage questions – not resent them.  
May they keep an open mind – not be reticent in their thinking.  
Help them to lead by example and motivate with respect.  
Help them harness their zeal to make a difference  
so as not to be antagonistic.  
Help them to value everyone's input  
as much as they value their own.  
And God, I ask that they seek first Your wisdom,  
Your will and Your truth—  
For as Your Word tells us,  
“...the foolishness of God is wiser than human wisdom,  
and the weakness of God is stronger than human strength.”  
This I pray in Christ's Name,  
Amen.

The Pledge of Allegiance was led by Rep. Carlin.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Energy and Environment: **HB 2414**.

Taxation: **HB 2415**.

## CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2200** from the Calendar under the heading General Orders and rereferral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2182, HB 2213, HB 2215, HB 2315** from Committee on Appropriations and rereferral to Committee on Elections.

Also, the withdrawal of **SB 91** from Committee on Appropriations and rereferral to Committee on Energy and Environment.

Also, the withdrawal of **HB 2341** from Committee on Appropriations and referral to Committee on Judiciary.

Also, the withdrawal of **SB 244** from Committee on Commerce, Labor and Economic Development and rereferral to Committee on Local Government.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Barton, **HR 6020**, by Reps. Barton, Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted:

**HR 6020**— A RESOLUTION commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

WHEREAS, There are hosts of ministers, pastors, priests and rabbis serving throughout Kansas; and

WHEREAS, They produce God-honoring and prosperous families that help to nurture the spirits of future generations; and

WHEREAS, They preach and teach in ways that impact and enrich lives – causing many to live in more fulfilling ways; and

WHEREAS, As shepherds, who are to protect, they correct wrongs, reflect justice and seek fairness in organizations, families and government; and

WHEREAS, They provide creative approaches to challenges – resulting in better

practices; and

WHEREAS, They pioneer the creation of new programs, policies and services; and  
WHEREAS, They help cultivate people's strengths and challenge them to step up and step out in communities: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commend our ministers, pastors, priests and rabbis for their leadership in villages, counties, cities and our state and their priceless commitment to improving lives. We thank God for each one of them; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Barton.

Rep. Barton recognized the clergy members who were present.

### CONSENT CALENDAR

No objection was made to **SB 43**, **SB 47** appearing on the Consent Calendar for the first day.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2268**, AN ACT authorizing the state historical society to accept conveyance of certain real property on behalf of the state, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: McPherson.

Present but not voting: None.

Absent or not voting: W. Carpenter, Kelley, Victors.

The bill passed.

**HB 2382**, AN ACT concerning the department of corrections; relating to juveniles in custody; placement; amending K.S.A. 2014 Supp. 38-2366 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 6; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier,

Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Bridges, Burroughs, Curtis, Lane, Ward.

Present but not voting: None.

Absent or not voting: W. Carpenter, Kelley, Victors.

The bill passed, as amended.

**SB 113**, AN ACT concerning the department of wildlife, parks and tourism; relating to licenses, permits, stamps and other issues of the department; citations; amending K.S.A. 2014 Supp. 32-1001, 32-1041 and 32-1049 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: W. Carpenter, Kelley, Victors.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Lunn in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Lunn, Committee of the Whole report, as follows, was adopted:



Recommended that **HB 2191** be passed.

Committee report to **HB 2223** be adopted; and the bill be passed as amended.

Committee report to **HB 2331** be adopted; also, on motion of Rep. Hildabrand be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2014 Supp. 41-104 is hereby amended to read as follows: 41-104. No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish or possess any alcoholic liquor for beverage purposes, except as specifically provided in this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto, except that nothing contained in this act shall prevent:

(a) The possession and transportation of alcoholic liquor for the personal use of the possessor, the possessor's family and guests except that the provisions of K.S.A. 41-407, and amendments thereto, shall be applicable to all persons;

(b) the making of wine, cider or beer by a person from fruits, vegetables or grains, or the product thereof, by simple fermentation and without distillation, if it is made solely for the use of the maker, the maker's family, guests and judges at a contest or competition of such beverages, provided, the maker receives no compensation for producing such beverages or for allowing the consumption thereof;

(c) any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of the medical or dental profession;

(d) any hospital or other institution caring for sick and diseased persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or institution;

(e) any drugstore employing a licensed pharmacist from possessing and using alcoholic liquor in the compounding of prescriptions of duly licensed physicians;

(f) the possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church;

(g) the sale of wine to a consumer in this state by a person which holds a valid license authorizing the manufacture of wine in this or another state and the shipment of such wine directly to such consumer, subject to the following: (1) The consumer must be at least 21 years of age; (2) the consumer must purchase the wine while physically present on the premises of the wine manufacturer; (3) the wine must be for the consumer's personal consumption and not for resale; and (4) the consumer shall comply with the provisions of K.S.A. 41-407, and amendments thereto, by payment of all applicable taxes within such time after purchase of the wine as prescribed by rules and regulations adopted by the secretary;

(h) the serving of complimentary alcoholic liquor or cereal malt beverages at fund raising activities of charitable organizations as defined by K.S.A. 17-1760, and amendments thereto, and as qualified pursuant to 26 U.S.C.A. § 501(c) and by committees formed pursuant to K.S.A. 25-4142 et seq., and amendments thereto. The serving of such alcoholic liquor at such fund raising activities shall not constitute a sale pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto. Any such fund raising activity shall not be required to obtain a license or a temporary permit pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto; ~~or~~

(i) the serving of complimentary alcoholic liquor or cereal malt beverage on the unlicensed premises of a business by the business owner or owner's agent at an event sponsored by a nonprofit organization promoting the arts and which has been approved by ordinance or resolution of the governing body of the city, county or township wherein the event will take place and whereby the director of the alcoholic beverage control has been notified thereof no less than 10 days in advance; or

(j) any unlicensed business from authorizing the possession and consumption of alcoholic liquor or cereal malt beverage by patrons of such business on private property owned or leased by such business when such alcoholic liquor or cereal malt beverage is in the personal possession of the patron and is not sold, offered for sale or given away by the owner of such business or any employees thereof.

~~(j)~~ (k) (1) For purposes of subsection (b), the term "guest" means a natural person who is known to the host and receives a personal invitation to an event conducted by the host. The term "guest" shall not mean a natural person who receives an invitation to an event conducted by the host when such invitation has been made available to the general public.

(2) For purposes of subsection (j), "patron" means a natural person who is a customer of an unlicensed business.";

On page 5, in line 24, after "Supp." by inserting "41-104 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; in line 2, by striking all before "consumption" and inserting "permitting"; in line 3, after "events" by inserting "and by patrons on unlicensed premises"; also in line 3, after "Supp." by inserting "41-104 and";

Also, on motion of Rep. Schwartz, **HB 2331** be amended on page 5, following line 23, by inserting:

"Sec. 3. K.S.A. 2014 Supp. 41-710 is hereby amended to read as follows: 41-710.

(a) No retailer's license shall be issued for premises unless such premises comply with all applicable zoning regulations.

(b) No microbrewery license, microdistillery license or farm winery license shall be issued for premises which are zoned for any purpose except agricultural, commercial or business purposes.

(c) No retailer's, microbrewery, microdistillery or farm winery license shall be issued for premises which:

(1) Are located within 200 feet of any public or parochial school or college or church, except that if any such school, college or church is established within 200 feet of any licensed premises after the premises have been licensed, the premises shall be an eligible location for retail licensing; or

(2) do not conform to all applicable building regulations.

(d) Any city, by ordinance, may allow a retailer, microbrewery, microdistillery or farm winery to be located within a core commercial district as defined by K.S.A. 2014 Supp. 12-17,122, and amendments thereto, which does not meet the distance requirements established by subsection (c)(1).";

Also on page 5, in line 24, after "Supp." by inserting "41-710 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "beverages;"; by striking all in line 2; in line 3, by striking all before "amending"; also in line 3, after "Supp." by

inserting "41-710, and";

Also, on motion of Rep. Schwab, **HB 2331** be amended on page 5, following line 23, by inserting:

"Sec. 3. K.S.A. 2014 Supp. 41-2645 is hereby amended to read as follows: 41-2645. (a) A temporary permit shall allow the permit holder to offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises, which may be open to the public, subject to the terms of such permit.

(b) The director may issue a temporary permit to any one or more persons or organizations applying for such a permit, in accordance with rules and regulations of the secretary. The permit shall be issued in the names of the persons or organizations to which it is issued.

(c) Applications for temporary permits shall be required to be filed with the director not less than 14 days before the event for which the permit is sought unless the director waives such requirement for good cause. Each application shall state the purposes for which the proceeds of the event will be used. The application shall be upon a form prescribed and furnished by the director and shall be filed with the director in duplicate. Each application shall be accompanied by a permit fee of \$25 for each day for which the permit is issued, which fee shall be paid by a certified or cashier's check of a bank within this state, United States post office money order or cash in the full amount thereof. All permit fees collected by the director pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(d) Temporary permits shall specify the premises for which they are issued and shall be issued only for premises where the city, county or township zoning code allows use for which the permit is issued. No temporary permit shall be issued for premises which are not located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, to adopt the proposition amending section 10 of article 15 of the constitution of the state of Kansas at the general election in November, 1986; or (B) have approved a proposition to allow the sale of liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(e) (1) A temporary permit may be issued for the consumption of alcoholic liquor on a city, county or township street, alley, road, sidewalk or highway for a special event; provided, that such street, alley, road, sidewalk or highway is closed to motor vehicle traffic by the governing body of such city, county or township for such special event, a written request for such consumption and possession of such alcoholic liquor has been made to the local governing body and the special event is approved by the governing body of such city, county or township by ordinance or resolution. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(2) Drinking establishments that are immediately adjacent to, or located within the licensed premises of a special event, for which a temporary permit has been issued and

the consumption of alcoholic liquor on public property has been approved, may request that the drinking establishment's licensed premises be extended into and made a part of the licensed premises of the special event for the duration of the temporary permit issued for such special event.

(3) Each licensee selling alcoholic liquor for consumption on the premises of a special event for which a temporary permit has been issued shall be liable for violations of all laws governing the sale and consumption of alcoholic liquor.

(4) For the purposes of this section, "special event" shall have the same meaning given that term in K.S.A. 41-719, and amendments thereto.

(f) (1) Except as otherwise provided in this subsection, a temporary permit shall be issued for a period of time not to exceed three consecutive days, the dates and hours of which shall be specified in the permit. Not more than four temporary permits may be issued to any one applicant in a calendar year.

(2) The director may issue ~~one~~ a temporary permit, valid for the entire period of time of the Kansas state fair, which authorizes the sale of wine or beer, or both, in its original, unopened container and the serving by the drink of ~~only~~ wine or beer, or both, on the state fairgrounds on premises specified in the temporary permit, by a person who has entered into an agreement with the state fair board for that purpose. Nothing in this subsection (f)(2) shall be construed to limit the number of temporary permits the director may issue for the sale of wine or beer, or both, on the state fairgrounds.

(3) The director may issue a temporary permit for a special event approved by the governing body of a city, county or township pursuant to subsection (e)(1), which may, at the director's discretion, be valid for the entire period of such special event, but in no event shall such permit be issued for a period of time that exceeds 30 consecutive days.

(g) All proceeds from an event for which a temporary permit is issued shall be used only for the purposes stated in the application for such permit.

(h) Upon written permission from the director and within three business days after the end of an event conducted pursuant to a temporary permit, the holder of a temporary permit may sell back to the licensee from whom alcoholic liquor was purchased any alcoholic liquor sold to the holder of the temporary permit for such event.

(i) A temporary permit shall not be transferable or assignable.

(j) The director may refuse to issue a temporary permit to any person or organization which has violated any provision of the Kansas liquor control act, the drinking establishment act or K.S.A. 79-41a01 et seq., and amendments thereto.";

Also on page 5, in line 24, before "are" by inserting "and 41-2645";

On page 1, in the title, in line 3, after "events;"; by inserting "temporary permits for the Kansas state fair;"; in line 3, after "41-719" by inserting "and 41-2645"; and **HB 2331** be passed as amended.

Committee report to **HB 2125** be adopted; and the bill be passed as amended.

On motion of Rep. Clays to amend **HB 2089**, the motion did not prevail; and the bill be passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 52** be amended on page 1, in line 23, by striking all after "(2)"; in line 24, by striking all before "allow"; On page 2, following line 4, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 82a-708c is hereby amended to read as follows: 82a-

708c. (a) A term permit is a permit to appropriate water for a limited specified period of time in excess of six months. At the end of the specified time, or any authorized extension approved by the chief engineer, the permit shall be automatically dismissed, and any priority it may have had shall be forfeited. No water right shall be perfected pursuant to a term permit.

(b) Each application for a term permit to appropriate water shall be made on a form prescribed by the chief engineer and shall be accompanied by an application fee fixed by this section for the appropriate category of acre feet in accordance with the following:

Acre Feet.....	Fee
0 to 100 .....	\$200
101 to 320.....	\$300
More than 320.....	\$300 + \$20
	for each additional 100
	acre feet or any part thereof

On and after July 1, 2018, the application fee shall be set forth in the schedule below:

Acre Feet.....	Fee
0 to 100.....	\$100
101 to 320.....	\$100
More than 320.....	\$150 + \$10
	for each additional 100
	acre feet or any part thereof

The chief engineer shall render a decision on such term permit applications within 150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(c) Each application for a term permit to appropriate water for storage, except applications for permits for domestic use, shall be accompanied by an application fee fixed by this section for the appropriate category of storage-acre feet in accordance with the following:

Storage-Acre Feet.....	Fee
0 to 250.....	\$200
More than 250.....	\$200 + \$20
	for each additional 250
	acre feet or any part thereof

On and after July 1, 2018, the application fee shall be set forth in the schedule below:

Storage-Acre Feet.....	Fee
0 to 250.....	\$100
More than 250.....	\$100 + \$10
	for each additional 250
	acre feet or any part thereof

The chief engineer shall render a decision on such term permit applications within

150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(d) Each application for a term permit pursuant to K.S.A. 2014 Supp. 82a-736, and amendments thereto, shall be accompanied by an application fee established by rules and regulations adopted by the chief engineer in an amount not to exceed \$400 for the five-year period covered by the permit.

(e) Notwithstanding the provisions of K.S.A. 82a-714, and amendments thereto, the applicant is not required to file a notice of completion of diversion works nor pay a field inspection fee. The chief engineer shall not conduct a field inspection of the diversion works required by statute for purposes of certification nor issue a certificate of appropriation for a term permit.

(f) A request to extend the term of a term permit in accordance with the rules and regulations adopted by the chief engineer shall be accompanied by the same filing fee applicable to other requests for extensions of time as set forth in K.S.A. 82a-714, and amendments thereto.

(g) An application to change the place of use, point of diversion, use made of water, or any combination thereof, pursuant to K.S.A. 82a-708b, and amendments thereto, shall not be approved for a term permit, except a change in place of use for a term permit approved pursuant to K.S.A. 82a-736, and amendments thereto, for irrigation use may be approved by the chief engineer for an increase of up to 10 acres or 10% of the authorized place of use whichever is less.

(h) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

Sec. 3. K.S.A. 2014 Supp. 82a-736 is hereby amended to read as follows: 82a-736.

(a) It is hereby recognized that an opportunity exists to improve water management by enabling multi-year flexibility in the use of water authorized to be diverted under a groundwater water right, provided, that such flexibility neither impairs existing water rights, nor increases the total amount of water diverted, so that such flexibility has no long-term negative effect on the source of supply. It is therefore declared necessary and advisable to permit the establishment of multi-year flex accounts for groundwater water rights, together with commensurate protections for existing water rights and their source of supply.

(b) As used in this section:

(1) "Base water right" means a water right under which an applicant applies to the chief engineer to establish a multi-year flex account and where all of the following conditions exist:

(A) The authorized source of supply is groundwater; and

(B) the water right has not been the subject of a change approval to implement the provisions of K.A.R. 5-5-9(a)(2), K.A.R. 5-5-11(b)(2) or K.A.R. 5-5-11(b)(3), in effect upon the effective date of this act.

(2) "Multi-year flex account" means a term permit which suspends a base water right during its term, except when the term permit may be no longer exercised because of an order of the chief engineer, and is subject to the terms and conditions as provided in subsection (e).

(3) "Base average usage" means: (A) The average amount of water actually

diverted for a beneficial use under the base water right during calendar years 2000 through 2009, excluding any amount diverted in any such year that exceeded the maximum annual quantity of water authorized by the base water right; or (B) if the holder of the base water right shows to the satisfaction of the chief engineer that water conservation reduced water use under the base water right during calendar years 2000 through 2009, then the average amount of water actually diverted for a beneficial use under the base water right during the five calendar years immediately before the calendar year when water conservation began, excluding any amount used in any such year that exceeded the amount authorized by the base water right.

(4) "Chief engineer" means the chief engineer of the division of water resources of the department of agriculture.

(5) "Flex account acreage" means the maximum number of acres lawfully irrigated during a calendar year when no term, condition or limitation of the base water right has been violated and either of the following conditions is met:

(A) The calendar year is 2000 through 2009; or

(B) if water conservation reduced water use under the base water right during calendar years 2000 through 2009, the calendar year is a year within the five calendar years immediately prior to the calendar year when water conservation began.

(6) "Net irrigation requirement" means the net irrigation requirement for 50% chance rainfall of the county that corresponds with the location of the authorized place of use of the base water right as provided in K.A.R. 5-5-12, on the effective date of this act.

(c) (1) Any holder of a base water right that has not been deposited or placed in a safe deposit account in a chartered water bank may establish a multi-year flex account where the holder may deposit, in advance, the authorized quantity of water from such water right for any five consecutive calendar years, subject to all of the following:

(A) The water right must be vested or shall have been issued a certificate of appropriation;

(B) the withdrawal of water pursuant to the water right shall be properly and adequately metered;

(C) the water right is not deemed abandoned and is in compliance with the terms and conditions of its certificate of appropriation, all applicable provisions of law and orders of the chief engineer;

(D) the amount of water deposited in the multi-year flex account shall not exceed the greatest of the following:

(i) 500% of the base average usage;

(ii) 500% of the product of the annual net irrigation requirement multiplied by the flex account acreage, multiplied by 110%, but not greater than five times the maximum annual quantity authorized by the base water right; ~~or~~

(iii) if the authorized place of use is located wholly within the boundaries of a groundwater management district, an amount that shall not increase the long-term average use of the groundwater right as specified by rule or regulation promulgated pursuant to ~~subsection (e) of~~ K.S.A. 82a-1028(o), and amendments thereto; ~~and or~~

(iv) pursuant to subparagraph (E), the amount computed in (i), (ii) or (iii) plus any deposited water remaining in a multi-year flex account up to 100% of the base average usage;

(E) any deposited water remaining in a multi-year flex account up to 100% of the



base average usage may be added to the deposit amount calculated in subparagraph (D) if the base water right is enrolled in another multi-year flex account during the calendar year in which the existing multi-year flex account expires. The total amount of water deposited in any multi-year flex account shall not exceed 500% of the authorized quantity of the base water right; and

(F) notwithstanding any other provisions of this subsection, except when the base water right is suspended due to the issuance of a two-year term permit in a designated drought emergency area for 2011 and 2012, the quantity of water deposited into a multi-year flex account shall be reduced by the quantity of water used in excess of the maximum annual quantity of the base water right during 2011 if the application for a multi-year flex account is filed with the chief engineer on or before July 15, 2012.

(2) The provisions of K.A.R. 5-5-11 are limited to changes in annual authorized quantity and shall not apply to this subsection.

(d) The chief engineer shall implement a program providing for the issuance of term permits to holders of groundwater water rights who have established flex accounts in accordance with this section. Such term permits shall authorize the use of water in a flex account at any time during the five consecutive calendar years for which the application for the term permit authorizing a multi-year flex account is made, without annual limits on such use.

(e) Term permits provided for by this section shall be subject to the following:

(1) A separate term permit shall be required for each point of diversion authorized by the base water right.

(2) The quantity of water authorized for diversion shall be limited to the amount deposited pursuant to subsection (c)(1)(D).

(3) The rate of diversion for each point of diversion authorized under the term permit shall not exceed the rate of diversion for each point of diversion authorized under the base water right.

(4) The authorized place of use shall be the place of use or a subdivision of the place of use for the base water right.

(5) The point of diversion authorized by the term permit shall be specified by referencing one point of diversion authorized by the base water right at the time the multi-year flex account term permit application is filed with the chief engineer or at the time any approvals changing such referenced point of diversion of the base water right are approved during the multi-year flex account period. For a base water right with multiple points of diversion, each point of diversion authorized by a term permit shall receive a specific assignment of a maximum authorized quantity of water, assigned proportionately to the authorized annual quantities of the respective points of diversion under the base water right.

(6) The chief engineer may establish, by rules and regulations, criteria for such term permits.

(7) Except as explicitly provided for by this section, such term permits shall be subject to all provisions of the Kansas water appropriation act, and rules and regulations adopted under such act, and nothing in this section shall authorize impairment of any vested right or prior appropriation right by the exercise of such term permit.

(f) An application for a multi-year flex account shall be filed with the chief engineer on or before October 1 of the first year of the multi-year flex account term for which the application is being made.



(g) All costs of administration of this section shall be paid from fees for term permits provided for by this section. Any appropriation or transfer from any fund other than the water appropriation certification fund for the purpose of paying such costs shall be repaid to the fund from which such appropriation or transfer is made. At the time of repayment, the secretary of agriculture shall certify to the director of accounts and reports the amount to be repaid and the fund to be repaid. Upon receipt of such certification, the director of accounts and reports shall promptly transfer the amount certified to the specified fund.

(h) The fee for a multi-year flex account term permit shall be the same as specified for other term permits in K.S.A. 82a-708c, and amendments thereto, except as follows:

(1) If the base water right is currently suspended due to the issuance of a two-year term permit in a designated drought emergency area for 2011 and 2012, then a holder of such term permit shall be subject to a \$200 application fee for a multi-year flex account term permit if the application is filed on or before July 15, 2012; or

(2) if water use under the authority of the base water right exceeded the maximum annual quantity authorized by the base water right during 2011 and the holder of the base water right files an application for approval of a multi-year flex account term permit on or before July 15, 2012, then the application fee shall be \$600.

(i) The chief engineer shall have full authority pursuant to K.S.A. 82a-706c, and amendments thereto, to require any additional measuring devices and any additional reporting of water use for term permits issued pursuant to this section. Failure to comply with any measuring or reporting requirement may result in a penalty, up to and including the revocation of the term permit and the suspension of the base water right for the duration of the term permit period.

(j) The chief engineer shall submit a written report on the implementation of this section to the house standing committee on agriculture and natural resources and the senate standing committee on natural resources on or before February 1 of each year.

(k) This section shall be part of and supplemental to the Kansas water appropriation act.

Sec. 4. K.S.A. 2014 Supp. 82a-1041 is hereby amended to read as follows: 82a-1041. (a) Whenever a groundwater management district recommends the approval of a local enhanced management plan within the district to address any of the conditions set forth in ~~subsections (a) through (d)~~ of K.S.A. 82a-1036 (a) through (d), and amendments thereto, the chief engineer shall review the local enhanced management plan submitted by the groundwater management district. The chief engineer's review shall be limited to whether the plan:

- (1) Proposes clear geographic boundaries;
- (2) pertains to an area wholly within the groundwater management district;
- (3) proposes goals and corrective control provisions as provided in subsection (f) adequate to meet the stated goals;
- (4) gives due consideration to water users who already have implemented reductions in water use resulting in voluntary conservation measures;
- (5) includes a compliance monitoring and enforcement element; and
- ~~(5)~~(6) is consistent with state law.

If, based on such review, the chief engineer finds that the local enhanced management plan is acceptable for consideration, the chief engineer shall initiate, as soon as practicable thereafter, proceedings to designate a local enhanced management

area.

(b) In any case where proceedings to designate a local enhanced management area are initiated, the chief engineer shall conduct an initial public hearing on the question of designating such an area as a local enhanced management area according to the local enhanced management plan. The initial public hearing shall resolve the following findings of fact:

(1) Whether one or more of the circumstances specified in ~~subsection (a) through (d)~~ of K.S.A. 82a-1036 (a) through (d), and amendments thereto, exist;

(2) whether the public interest of K.S.A. 82a-1020, and amendments thereto, requires that one or more corrective control provisions be adopted; and

(3) whether the geographic boundaries are reasonable.

The chief engineer shall conduct a subsequent hearing or hearings only if the initial public hearing is favorable on all three issues of fact and the expansion of geographic boundaries is not recommended. At least 30 days prior to the date set for any hearing, written notice of such hearing shall be given to every person holding a water right of record within the area in question and by one publication in any newspaper of general circulation within the area in question. The notice shall state the question and shall denote the time and place of the hearing. At every such hearing, documentary and oral evidence shall be taken and a complete record of the same shall be kept.

(c) The subject matter of the hearing or hearings set forth in subsection (b) shall be limited to the local enhanced management plan that the chief engineer previously reviewed pursuant to subsection (a) and set for hearing.

(d) Within 120 days of the conclusion of the final public hearing set forth in subsections (b) and (c), the chief engineer shall issue an order of decision:

(1) Accepting the local enhanced management plan as sufficient to address any of the conditions set forth in ~~subsections (a) through (d)~~ of K.S.A. 82a-1036 (a) through (d), and amendments thereto;

(2) rejecting the local enhanced management plan as insufficient to address any of the conditions set forth in ~~subsections (a) through (d)~~ of K.S.A. 82a-1036 (a) through (d), and amendments thereto;

(3) returning the local enhanced management plan to the groundwater management district, giving reasons for the return and providing the district with the opportunity to resubmit a revised plan for public hearing within 90 days of the return of the deficient plan; or

(4) returning the local enhanced management plan to the groundwater management district and proposing modifications to the plan, based on testimony at the hearing or hearings, that will improve the administration of the plan, but will not impose reductions in groundwater withdrawals that exceed those contained in the plan. If the groundwater management district approves of the modifications proposed by the chief engineer, the district shall notify the chief engineer within 90 days of receipt of return of the plan. Upon receipt of the groundwater management district's approval of the modifications, the chief engineer shall accept the modified local management plan. If the groundwater management district does not approve of the modifications proposed by the chief engineer, the local management plan shall not be accepted.

(e) In any case where the chief engineer issues an order of decision accepting the local enhanced management plan pursuant to subsection (d), the chief engineer, within a reasonable time, shall issue an order of designation that designates the area in question

as a local enhanced management area.

(f) The order of designation shall define the boundaries of the local enhanced management area and shall indicate the circumstances upon which the findings of the chief engineer are made. The order of designation may include any of the following corrective control provisions set forth in the local enhanced management plan:

(1) Closing the local enhanced management area to any further appropriation of groundwater. In which event, the chief engineer shall thereafter refuse to accept any application for a permit to appropriate groundwater located within such area;

(2) determining the permissible total withdrawal of groundwater in the local enhanced management area each day, month or year, and, insofar as may be reasonably done, the chief engineer shall apportion such permissible total withdrawal among the valid groundwater right holders in such area in accordance with the relative dates of priority of such rights;

(3) reducing the permissible withdrawal of groundwater by any one or more appropriators thereof, or by wells in the local enhanced management area;

(4) requiring and specifying a system of rotation of groundwater use in the local enhanced management area; or

(5) any other provisions making such additional requirements as are necessary to protect the public interest.

The chief engineer is hereby authorized to delegate the enforcement of any corrective control provisions ordered for a local enhanced management area to the groundwater management district in which that area is located, upon written request by the district.

(g) The order of designation shall follow, insofar as may be reasonably done, the geographical boundaries recommended by the local enhanced management plan.

(h) Except as provided in subsection (f), the order of designation of a local enhanced management area shall be in full force and effect from the date of its entry in the records of the chief engineer's office unless and until its operation shall be stayed by an appeal from an order entered on review of the chief engineer's order pursuant to K.S.A. 2014 Supp. 82a-1901, and amendments thereto, and in accordance with the provisions of the Kansas judicial review act. The chief engineer upon request shall deliver a copy of such order to any interested person who is affected by such order and shall file a copy of the same with the register of deeds of any county within which any part of the local enhanced management area lies.

(i) If the holder of a groundwater right within the local enhanced management area applies for review of the order of designation pursuant to K.S.A. 2014 Supp. 82a-1901, and amendments thereto, the provisions of the order with respect to the inclusion of the holder's water right within the area may be stayed in accordance with the Kansas administrative procedure act.

(j) Unless otherwise specified in the proposed enhanced management plan and included in the order of designation, a public hearing to review the designation of a local enhanced management area shall be conducted by the chief engineer within seven years after the order of designation is final. A subsequent review of the designation shall occur within 10 years after the previous public review hearing or more frequently as determined by the chief engineer. Upon the request of a petition signed by at least 10% of the affected water users in a local enhanced management area, a public review hearing to review the designation shall be conducted by the chief engineer. This requested public review hearing shall not be conducted more frequently than every four

years.

(k) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

(l) The provisions of this section shall be part of and supplemental to the provisions of K.S.A. 82a-1020 through K.S.A. 82a-1040, and amendments thereto.

New Sec. 5. (a) The chief engineer shall give due consideration to water management or conservation measures previously implemented by a water right holder when implementing any further limitations on a water right pursuant to any program established or implemented on and after July 1, 2015. The chief engineer shall take into account reductions in water use, changes in water management practices and other measures undertaken by such water right holder.

(b) This section shall be part of and supplemental to the Kansas water appropriation act.:";

Also on page 2, in line 5, by striking "is" and inserting "and K.S.A. 2014 Supp. 82a-708c, 82a-736 and 82a-1041 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "related" and inserting "relating"; in line 2, after "engineer;" by inserting "multi-year flex accounts; local enhanced management areas;"; also in line 2, after "82a-706b" by inserting "and K.S.A. 2014 Supp. 82a-708c, 82a-736 and 82a-1041"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **SB 124** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 48-1603 is hereby amended to read as follows: 48-1603. As used in this act:

(a) "By-product material" means: (1) Any radioactive material, except special nuclear material, yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material; ~~and~~

(2) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content;

(3) (A) any discrete source of radium-226 that is produced, extracted or converted after extraction for use for a commercial, medical or research activity; or

(B) any material that:

(i) Has been made radioactive by use of a particle accelerator; and

(ii) is produced, extracted or converted after extraction for use for a commercial, medical or research activity; or

(4) any discrete source of naturally occurring radioactive material, other than source material, that:

(A) The secretary declares by order would pose a threat to the public health and safety or the common defense and security similar to the threat posed by a discrete source of radium-226 after the United States nuclear regulatory commission, or any successor thereto, determines the same; and

(B) is extracted or converted after extraction for use in a commercial, medical or research activity.

(b) "Department" means the Kansas department of health and environment.

(c) "Civil penalty" means any monetary penalty levied on a licensee or registrant because of violations of statutes, regulations, licenses or registration certificates, but

does not include criminal penalties.

(d) "Closure" or "site closure" means all activities performed at a waste disposal site, such as stabilization and contouring, to assure that the site is in a stable condition so that only minor custodial care, surveillance and monitoring are necessary at the site following termination of licensed operation.

(e) "Decommissioning" means final operational activities at a facility to dismantle site structures, to decontaminate site surfaces and remaining structures, to stabilize and contain residual radioactive material and to carry out any other activities to prepare the site for postoperational care.

(f) "Disposal of low-level radioactive waste" means the isolation of such waste from the biosphere.

(g) "Electronic product" means any manufactured or assembled: ~~(1) Product which, when in operation, contains or acts as part of an electronic circuit and emits, or in the absence of effective shielding or other controls would emit, electronic product radiation;~~ ~~or any manufactured or assembled~~ (2) article which is intended for use as a component part, or accessory of a product described in this subsection and which in operation emits, or in the absence of effective shielding or other controls would emit, such radiation.

(h) "Electronic product radiation" means any ionizing or nonionizing, electromagnetic or particulate radiation, or any sonic, infrasonic, or ultrasonic wave, which is emitted from an electronic product as the result of the operation of an electronic circuit in such product.

(i) "General license" means a license effective pursuant to rules and regulations promulgated by the secretary of health and environment, without the filing of an application to transfer, acquire, own, possess or use quantities of, or devices or equipment utilizing by-product, source, special nuclear materials, or other radioactive material occurring naturally or produced artificially.

(j) "High-level radioactive waste" means: (1) Irradiated reactor fuel; (2) liquid wastes resulting from the operation of the first cycle solvent extraction system, or equivalent, and the concentrated wastes from subsequent extraction cycles, or equivalent, in a facility for uranium processing irradiated reactor fuel; and (3) solids into which such liquid wastes have been converted.

(k) "Low-level radioactive waste" means radioactive waste not classified as:  
(1) NORM waste or TENORM waste at concentrations and from sources established in rules and regulations adopted by the secretary on or before July 1, 2016;  
 (2) high-level radioactive waste;  
 (3) transuranic waste;  
 (4) spent nuclear fuel; or  
 (5) by-product material as defined in subsection (a)(2).

(l) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, or any other state or political subdivision or agency thereof, and any legal successor, representative, agency, or agency of the foregoing, other than the United States nuclear regulatory commission, or any successor thereto, and other than federal government agencies licensed by the United States nuclear regulatory commission, or any successor thereto.

(m) "Radiation" means: (1) Ionizing radiation including gamma rays, X-rays, alpha

particles, beta particles, and including neutrons; (2) any electromagnetic radiation other than ionizing radiation which is generated during the operation of an electronic product; or (3) any sonic, ultrasonic, or infrasonic wave which is emitted from an electronic product as a result of the operation of an electronic circuit in such product.

(n) "Radioactive material" means any material, solid, liquid or gas, which emits ionizing radiation spontaneously. It includes accelerator produced, by-product, naturally occurring, source and special nuclear materials.

(o) "Secretary" means the secretary of the Kansas department of health and environment.

(p) "Source material" means: (1) Uranium, thorium; or any other material which the secretary declares by order to be source material after the United States nuclear regulatory commission, or any successor thereto, has determined the material to be such; or (2) ores containing one or more of the foregoing materials, in such concentration as the secretary declares by order to be source material after the United States nuclear regulatory commission, or any successor thereto, has determined the material in such concentration to be source material.

(q) "Source material mill tailings" means the tailings or waste produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, including discrete surface wastes resulting from underground solution extraction processes but not including underground ore bodies depleted by such solution extraction process.

(r) "Source material milling" means any processing of ore, including underground solution extraction of unmined ore, primarily for the purpose of extracting or concentrating uranium or thorium therefrom and which results in the production of source material mill tailings.

(s) "Sources of radiation" means, collectively, radioactive material and radiation generating equipment.

(t) "Special nuclear material" means: (1) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the secretary declares by order to be special nuclear material after the United States nuclear regulatory commission, or any successor thereto, has determined the material to be such, but does not include source material; or (2) any material artificially enriched by any of the foregoing, but does not include source material.

(u) "Specific license" means a license issued after application, to use, manufacture, produce, transfer, receive, acquire, own or possess quantities of, or devices or equipment utilizing by-product, source, special nuclear materials, or other radioactive material occurring naturally or produced artificially.

(v) "Spent nuclear fuel" means irradiated nuclear fuel that has undergone at least one year's decay since being used as a source of energy in a power reactor. Spent nuclear fuel includes the special nuclear material, by-product material, source material and other radioactive material associated with fuel assemblies.

(w) "Transuranic waste" means radioactive waste containing alpha emitting transuranic elements, with radioactive half-lives greater than five years, in excess of 10 nanocuries per gram.

(x) "Naturally occurring radioactive material" or "NORM" means any nuclide that is radioactive in the nuclide's natural physical state. "NORM" does not include accelerator produced, by-product, source or special nuclear material.

(y) "NORM waste" means solid waste as defined in K.S.A. 65-3402, and amendments thereto, that is contaminated with NORM.

(z) "Technologically enhanced NORM" or "TENORM" means NORM whose radionuclide concentrations are increased by or as a result of past or present human practices. "TENORM" does not include accelerator produced, by-product, source or special nuclear material.

(aa) "TENORM waste" means solid waste as defined in K.S.A. 65-3402, and amendments thereto, that is contaminated with TENORM.

Sec. 2. K.S.A. 48-1620 is hereby amended to read as follows: 48-1620. The ~~hazardous waste disposal facility approval board~~ secretary shall review and grant or deny final approval for each low-level radioactive waste disposal facility license in the same manner as provided in K.S.A. 65-3433 et seq., and amendments thereto. The ~~board~~ secretary shall not approve any such license which would permit the disposal of low-level radioactive waste below the natural level of the disposal site unless the ~~board~~ secretary, subject to legislative approval, has determined that below grade disposal provides greater protection than above grade disposal for the environment and public health for the period of time for which such low-level radioactive waste may continue to pose a hazard to the environment and public health.";

On page 3, in line 32, after "occurred" by inserting "within the previous three years"; in line 34, after "property" by inserting "prior to closing";

On page 4, in line 9, after "commission" by inserting ", in coordination with the Kansas department of health and environment,"; by striking all in line 16; following line 29, by inserting:

"Sec. 4. K.S.A. 2014 Supp. 65-171d is hereby amended to read as follows: 65-171d. (a) For the purpose of preventing surface and subsurface water pollution and soil pollution detrimental to public health or to the plant, animal and aquatic life of the state, and to protect designated uses of the waters of the state and to require the treatment of sewage predicated upon technologically based effluent limitations, the secretary of health and environment shall make such rules and regulations, including registration of potential sources of pollution, as may in the secretary's judgment be necessary to: (1) Protect the soil and waters of the state from pollution resulting from underground storage of liquid petroleum gas and hydrocarbons, other than underground porosity storage of natural gas; (2) control the disposal, discharge or escape of sewage as defined in K.S.A. 65-164, and amendments thereto, by or from municipalities, corporations, companies, institutions, state agencies, federal agencies or individuals and any plants, works or facilities owned or operated, or both, by them; and (3) establish water quality standards for the waters of the state to protect their designated uses, including establishment of water quality standards variances that may apply to specified pollutants, permittees, or waterbody segments that reflect the highest attainable condition during the specified time period for the variance. In no event shall the secretary's authority be interpreted to include authority over the beneficial use of water, water quantity allocations, protection against water use impairment of a beneficial use, or any other function or authority under the jurisdiction of the Kansas water appropriation act, K.S.A. 82a-701, and amendments thereto.

(b) The secretary of health and environment may adopt by reference any regulation relating to water quality and effluent standards promulgated by the federal government pursuant to the provisions of the federal clean water act, and amendments thereto, as in



effect on January 1, 1989, which the secretary is otherwise authorized by law to adopt.

(c) For the purposes of this act, including K.S.A. 65-161 through 65-171h and K.S.A. 65-1,178 through 65-1,198, and amendments thereto, and rules and regulations adopted pursuant thereto:

(1) "Pollution" means: (A) Such contamination or other alteration of the physical, chemical or biological properties of any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to the plant, animal or aquatic life of the state or to other designated uses; or (B) such discharge as will or is likely to exceed state effluent standards predicated upon technologically based effluent limitations.

(2) "Confined feeding facility" means any lot, pen, pool or pond: (A) Which is used for the confined feeding of animals or fowl for food, fur or pleasure purposes; (B) which is not normally used for raising crops; and (C) in which no vegetation intended for animal food is growing.

(3) "Animal unit" means a unit of measurement calculated by adding the following numbers: The number of beef cattle weighing more than 700 pounds multiplied by 1.0; plus the number of cattle weighing less than 700 pounds multiplied by 0.5; plus the number of mature dairy cattle multiplied by 1.4; plus the number of swine weighing more than 55 pounds multiplied by 0.4; plus the number of swine weighing 55 pounds or less multiplied by 0.1; plus the number of sheep or lambs multiplied by 0.1; plus the number of horses multiplied by 2.0; plus the number of turkeys multiplied by 0.018; plus the number of laying hens or broilers, if the facility has continuous overflow watering, multiplied by 0.01; plus the number of laying hens or broilers, if the facility has a liquid manure system, multiplied by 0.033; plus the number of ducks multiplied by 0.2. However, each head of cattle will be counted as one full animal unit for the purpose of determining the need for a federal permit. "Animal unit" also includes the number of swine weighing 55 pounds or less multiplied by 0.1 for the purpose of determining applicable requirements for new construction of a confined feeding facility for which a permit or registration has not been issued before January 1, 1998, and for which an application for a permit or registration and plans have not been filed with the secretary of health and environment before January 1, 1998, or for the purpose of determining applicable requirements for expansion of such facility. Except as otherwise provided, animal units for public livestock markets shall be determined by using the average annual animal units sold by the market during the past five calendar years divided by 365. Such animal unit determination may be adjusted by the department if the public livestock market submits documentation that demonstrates that such adjustment is appropriate based on the amount of time in 24-hour increments or partials thereof that animals are at the market.

(4) "Animal unit capacity" means the maximum number of animal units which a confined feeding facility is designed to accommodate at any one time.

(5) "Habitable structure" means any of the following structures which is occupied or maintained in a condition which may be occupied and which, in the case of a confined feeding facility for swine, is owned by a person other than the operator of such facility: A dwelling, church, school, adult care home, medical care facility, child care facility, library, community center, public building, office building or licensed food service or lodging establishment.

(6) "Wildlife refuge" means Cheyenne Bottoms wildlife management area,



Cheyenne Bottoms preserve and Flint Hills, Quivera, Marais des Cygnes and Kirwin national wildlife refuges.

(d) In adopting rules and regulations, the secretary of health and environment, taking into account the varying conditions that are probable for each source of sewage and its possible place of disposal, discharge or escape, may provide for varying the control measures required in each case to those the secretary finds to be necessary to prevent pollution. If a freshwater reservoir or farm pond is privately owned and where complete ownership of land bordering the reservoir or pond is under common private ownership, such freshwater reservoir or farm pond shall be exempt from water quality standards except as it relates to water discharge or seepage from the reservoir or pond to waters of the state, either surface or groundwater, or as it relates to the public health of persons using the reservoir or pond or waters therefrom.

(e) (1) Whenever the secretary of health and environment or the secretary's duly authorized agents find that storage or disposal of salt water not regulated by the state corporation commission or refuse in any surface pond not regulated by the state corporation commission is causing or is likely to cause pollution of soil or waters of the state, the secretary or the secretary's duly authorized agents shall issue an order prohibiting such storage or disposal of salt water or refuse. Any person aggrieved by such order may within 15 days of service of the order request in writing a hearing on the order.

(2) Upon receipt of a timely request, a hearing shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(3) Any action of the secretary pursuant to this subsection is subject to review in accordance with the Kansas judicial review act.

(f) The secretary may adopt rules and regulations establishing fees for plan approval, monitoring and inspecting underground or buried petroleum products storage tanks, for which the annual fee shall not exceed \$5 for each tank in place.

(g) (1) Prior to any new construction of a confined feeding facility with an animal unit capacity of 300 or more, such facility shall register with the secretary of health and environment. Such registration shall be accompanied by a \$25 fee. The secretary shall acknowledge the receipt of the registration in a form as designated by the secretary and publish a notice of such receipt.

(2) Such registration shall indicate that the proposed construction will occur within the prescribed tract of land and that the separation distances from the tract boundaries or proposed facility footprint comply with the requirements described in subsections (j), (l) and (m) or exceptions described in (k).

(3) Within 30 days of receipt of such registration, the department of health and environment shall identify any significant water pollution potential or separation distance violations pursuant to subsection (j).

(A) (i) If the proposed facility has an animal unit capacity of 1,000 or more, or if there is identified a significant water pollution potential for a facility of less than 1,000 but more than 300, such facility shall be required to obtain a permit from the secretary.

(ii) If there is no identified water pollution potential posed by a facility with an animal unit capacity of 300 or more but less than 1,000, the secretary shall certify that no permit is required.

(B) If the secretary certifies that no permit is necessary pursuant to subsection (g) (3)(A)(ii), the secretary shall take the following action in regard to separation distances

of such facility:

(i) If the separation distances comply with the requirements for separation distances, the secretary shall certify the registration; or

(ii) if the separation distances do not comply with the requirements for separation distances, the secretary:

(a) May reduce the separation distance requirements pursuant to subsection (k) and certify the registration based on such reduction of separation distances; or

(b) shall report the conditions necessary to receive certification to the registrant.

(h) (1) Facilities with a capacity of less than 300 animal units may register with the secretary of health and environment. Such registration shall be accompanied by a \$25 fee.

(2) Within 30 days of receipt of such registration, the department of health and environment shall identify any significant water pollution potential. If there is identified a significant water pollution potential, such facility shall be required to obtain a permit from the secretary. If there is no water pollution potential posed by such facility, the secretary may certify that no permit is required.

(i) (1) If a facility requires a permit pursuant to subsection (g)(3) or (h)(2), the registrant shall submit an application for such permit not later than 18 months after the date of receipt of registration or the registration shall expire.

(2) Upon petition by the registrant, the secretary may extend the application period, by no more than an additional 18 months, if the secretary believes such an extension is reasonable under the circumstances.

(3) Within 30 days of receipt of an application, the secretary shall notify the registrant of whether the application is complete or incomplete. If the application is incomplete, such notice shall state the reasons why such application is incomplete. Once such registrant submits an application properly addressing each reason listed as a basis for the determination that the application is incomplete, the secretary shall issue an acknowledgment of receipt of the completed application within 30 days of properly addressing such reasons.

(4) Upon expiration of the application period or any extension thereof, the secretary shall not accept any further registrations pertaining to the same location for a period of not less than 180 days.

(j) (1) Any new construction or new expansion of a confined feeding facility, other than a confined feeding facility for swine, shall meet or exceed the following requirements in separation distances from any habitable structure in existence when the registration is received:

(A) 1,320 feet for facilities with an animal unit capacity of 300 to 999; and

(B) 4,000 feet for facilities with an animal unit capacity of 1,000 or more.

(2) A confined feeding facility for swine shall meet or exceed the following requirements in separation distances from any habitable structure or city, county, state or federal park in existence when the registration is received:

(A) 1,320 feet for facilities with an animal unit capacity of 300 to 999;

(B) 4,000 feet for facilities with an animal unit capacity of 1,000 to 3,724;

(C) 4,000 feet for expansion of existing facilities to an animal unit capacity of 3,725 or more if such expansion is within the perimeter from which separation distances are determined pursuant to subsection (m) for the existing facility; and

(D) 5,000 feet for: (i) Construction of new facilities with an animal unit capacity of

3,725 or more; or (ii) expansion of existing facilities to an animal unit capacity of 3,725 or more if such expansion extends outside the perimeter from which separation distances are determined pursuant to subsection (m) for the existing facility.

(3) Any construction of new confined feeding facilities for swine shall meet or exceed the following requirements in separation distances from any wildlife refuge:

(A) 10,000 feet for facilities with an animal unit capacity of 1,000 to 3,724; and

(B) 16,000 feet for facilities with an animal unit capacity of 3,725 or more.

(k) (1) The separation distance requirements of subsections (j)(1) and (2) shall not apply if the registrant obtains a written agreement from all owners of habitable structures which are within the separation distance stating such owners are aware of the construction or expansion and have no objections to such construction or expansion. The written agreement shall be filed in the register of deeds office of the county in which the habitable structure is located.

(2) (A) The secretary may reduce the separation distance requirements of subsection (j)(1) if: (i) No substantial objection from owners of habitable structures within the separation distance is received in response to public notice; or (ii) the board of county commissioners of the county where the confined feeding facility is located submits a written request seeking a reduction of separation distances.

(B) The secretary may reduce the separation distance requirements of subsection (j) (2)(A) or (B) if: (i) No substantial objection from owners of habitable structures within the separation distance is received in response to notice given in accordance with subsection (n); (ii) the board of county commissioners of the county where the confined feeding facility is located submits a written request seeking a reduction of separation distances; or (iii) the secretary determines that technology exists that meets or exceeds the effect of the required separation distance and the facility will be using such technology.

(C) The secretary may reduce the separation distance requirements of subsection (j) (2)(C) or (D) if: (i) No substantial objection from owners of habitable structures within the separation distance is received in response to notice given in accordance with subsection (l); or (ii) the secretary determines that technology exists that meets or exceeds the effect of the required separation distance and the facility will be using such technology.

(l) (1) The separation distances required pursuant to subsection (j)(1) shall not apply to:

(A) Confined feeding facilities which were permitted or certified by the secretary on July 1, 1994;

(B) confined feeding facilities which existed on July 1, 1994, and registered with the secretary before July 1, 1996; or

(C) expansion of a confined feeding facility, including any expansion for which an application was pending on July 1, 1994, if: (i) In the case of a facility with an animal unit capacity of 1,000 or more prior to July 1, 1994, the expansion is located at a distance not less than the distance between the facility and the nearest habitable structure prior to the expansion; or (ii) in the case of a facility with an animal unit capacity of less than 1,000 prior to July 1, 1994, the expansion is located at a distance not less than the distance between the facility and the nearest habitable structure prior to the expansion and the animal unit capacity of the facility after expansion does not exceed 2,000.

(2) The separation distances required pursuant to subsections (j)(2)(A) and (B) shall not apply to:

(A) Confined feeding facilities for swine which were permitted or certified by the secretary on July 1, 1994;

(B) confined feeding facilities for swine which existed on July 1, 1994, and registered with the secretary before July 1, 1996; or

(C) expansion of a confined feeding facility which existed on July 1, 1994, if: (i) In the case of a facility with an animal unit capacity of 1,000 or more prior to July 1, 1994, the expansion is located at a distance not less than the distance between the facility and the nearest habitable structure prior to the expansion; or (ii) in the case of a facility with an animal unit capacity of less than 1,000 prior to July 1, 1994, the expansion is located at a distance not less than the distance between the facility and the nearest habitable structure prior to the expansion and the animal unit capacity of the facility after expansion does not exceed 2,000.

(3) The separation distances required pursuant to subsections (j)(2)(C) and (D) and (h)(3) shall not apply to the following, as determined in accordance with subsections (a), (c) and (f) of K.S.A. 65-1,178(a), (e) and (f), and amendments thereto:

(A) Expansion of an existing confined feeding facility for swine if an application for such expansion has been received by the department before March 1, 1998; and

(B) construction of a new confined feeding facility for swine if an application for such facility has been received by the department before March 1, 1998.

(m) The separation distances required by this section for confined feeding facilities for swine shall be determined from the exterior perimeter of any buildings utilized for housing swine, any lots containing swine, any swine waste retention lagoons or ponds or other manure or wastewater storage structures and any additional areas designated by the registrant for future expansion. Such separation distances shall not apply to offices, dwellings and feed production facilities of a confined feeding facility for swine.

(n) The registrant shall give the notice required by subsections (k)(2)(B) and (C) by certified mail, return receipt requested, to all owners of habitable structures within the separation distance. The registrant shall submit to the department evidence, satisfactory to the department, that such notice has been given.

(o) All plans and specifications submitted to the department for new construction or new expansion of confined feeding facilities may be, but are not required to be, prepared by a professional engineer or a consultant, as approved by the department. Before approval by the department, any consultant preparing such plans and specifications shall submit to the department evidence, satisfactory to the department, of adequate general commercial liability insurance coverage.";

Also on page 4, in line 30, before "K.S.A." by inserting "K.S.A. 48-1603 and 48-1620 and"; also in line 30, after "Supp." by inserting "65-171d and"; also in line 30, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in line 1, after "concerning" by inserting "the department of health and environment; relating to radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution;"; also in line 1, by striking "relating to"; in line 2, after "amending" by inserting "K.S.A. 48-1603 and 48-1620 and"; also in line 2, after "Supp." by inserting "65-171d and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 45** be amended on page 7, in line 13, by striking "or" and inserting a comma; also in line 13, before "is" by inserting "or (a)(4)"; in line 15, by striking "(a)(4)" and inserting "(a)(5)";

On page 8, in line 22, by striking "(a)(4)" and inserting "(a)(5)"; in line 33, by striking "(a)(4)" and inserting "(a)(5)"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 34** be passed.

Committee on **Judiciary** recommends **SB 23** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2014 Supp. 8-262 is hereby amended to read as follows: 8-262.

(a) (1) Any person who drives a motor vehicle on any highway of this state at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, shall be guilty of a class B nonperson misdemeanor on the first conviction and a class A nonperson misdemeanor on the second or subsequent conviction. Except as otherwise provided in subsection (a)(4) or (c), for the purposes of determining whether a conviction is a first, second or subsequent conviction in sentencing under this section, only convictions occurring in the immediately preceding five years, including prior to July 1, 2015, shall be taken into account.

(2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257, and amendments thereto, to the return of such person's driver's license.

(3) Except as otherwise provided by subsection (a)(4) or (c), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second conviction shall not be eligible for parole until completion of five days' imprisonment.

(4) Except as otherwise provided by subsection (c), if a person: (A) Is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto, or any ordinance of any city or resolution of any county or a law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes; and (B) is or has been also convicted of a violation of K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto, or any ordinance of any city or resolution of any county or law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment. For the purposes of determining whether a conviction is a first, second or subsequent conviction in sentencing under this paragraph, all convictions occurring during a person's lifetime shall be taken into account.

(b) The division, upon receiving a record of the conviction of any person under this section, or any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section, upon a charge of driving a vehicle while the license of such person is revoked or suspended, shall extend the period of such suspension or revocation for an additional period of 90 days.

(c) (1) The person found guilty of a class A nonperson misdemeanor on a third or

subsequent conviction of this section shall be sentenced to not less than 90 days' imprisonment and fined not less than \$1,500 if such person's privilege to drive a motor vehicle is canceled, suspended or revoked because such person:

~~(A) Refused to submit and complete any test of blood, breath or urine requested by law enforcement excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto;~~

~~(B) was convicted of violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; For the purposes of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this paragraph, only convictions occurring on or after July 1, 2001, shall be taken into account.~~

~~(C)(2) The person found guilty of a class A nonperson misdemeanor on a third or subsequent conviction of this section shall be sentenced to not less than 90 days' imprisonment and fined not less than \$1,500 if such person's privilege to drive a motor vehicle is canceled, suspended or revoked because such person:~~

~~(A) Refused to submit and complete any test of blood, breath or urine requested by law enforcement, excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto;~~

~~(B) was convicted of vehicular homicide, K.S.A. 21-3405, prior to its repeal, or K.S.A. 2014 Supp. 21-5406, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or involuntary manslaughter as defined in subsection (a)(3) of K.S.A. 2014 Supp. 21-5405(a)(3), and amendments thereto, or any other murder or manslaughter crime resulting from the operation of a motor vehicle; or~~

~~(D)(C) was convicted of being a habitual violator, K.S.A. 8-287, and amendments thereto. For the purposes of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this paragraph, all convictions occurring during a person's lifetime shall be taken into account.~~

~~(2)(3) The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto, or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.~~

(d) For the purposes of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section, "conviction" includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section.";

On page 4, in line 13, after "Supp." by inserting "8-262 and"; also in line 13, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "driving while license is canceled, suspended or revoked;"; in line 2, after "Supp." by inserting "8-262 and"; in

line 3 by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 73** be passed.

Committee on **Transportation** recommends **SB 126** be amended on page 1, in line 10, by striking "purpose" and inserting "purposes"; in line 13, by striking "a test track" and inserting "one or more test tracks"; and the bill be passed as amended.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Frownfelter on Committee on Commerce, Labor and Economic Development on March 18 and 19.

Also, Rep. Ruiz to replace Rep. Frownfelter on Committee on Financial Institutions on March 19.

Also, Rep. Ward to replace Rep. Highberger on Committee on Children and Seniors on March 19.

#### **REPORT ON ENGROSSED BILLS**

**HB 2382** reported correctly engrossed March 17, 2015.

**HB 2053** reported correctly re-engrossed March 17, 2015.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6017, HR 6018** reported correctly enrolled and properly signed on March 18, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 19, 2015.

# Journal of the House

FORTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 19, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. Huebert was excused on verified illness.

Rep. Victors was excused on legislative business.

Reps. Frownfelter and Schwartz were excused on excused absence by the Speaker.

Prayer by guest chaplain, Trevor Jacobs, Evangelist, Jesus Saves Ministries, Ft. Scott, and guest of Rep. Read:

Dear Lord God, Creator of Heaven and Earth

We thank You for giving us this beautiful day. We thank You for friends and family that You have blessed us with. We thank You that You are Holy and Pure in all Your ways God, Your Word is Truth and knowing Your Truth will set us free.

God help us in this great time of need for our nation, for our state and for our families.

God direct our hearts, not for what we want but for others and for Your glory. God remind us that You have placed us here not to be served but to serve.

We ask for Your wisdom to make God honoring decisions for those we serve. We ask for the strength and boldness to do what is right in Your eyes. Teach us Lord to be humble as You have called us to be. Show us how to bless those around us with Your Divine love and mercy.

Lord help us to be compassionate to those who are in need, to be a voice for the voiceless, to be strong and defend the weak. God give us the courage to follow through with the commitments we have made to You.

In Jesus' Holy Name, Amen.

The Pledge of Allegiance was led by Rep. Phillips.



## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Winn are spread upon the Journal:

Today I have the distinct honor and privilege of welcoming members of the Kansas chapter of Delta Sigma Theta Sorority as they participate in Delta Day at the Capitol.

The Day is sponsored by the African American Commission and the individual sponsors include Ms. Trudy Baker, Wichita, Ms. Daphne Maxwell – the KAACC from District 1 and Ms. Donna Douglas.

Delta Sigma Theta Sorority was founded in January 1913 by 22 collegiate women at Howard University. These pioneering female students wanted to use their collective strength to promote academic excellence and to provide assistance to persons in need.

The first public act performed by the Delta Founders involved their participation in the Women's Suffrage march in Washington D.C. in March 1913. Delta Sigma Theta was then incorporated in 1930. Since it's founding more than 200,000 women have joined its organization. The sorority now has over 1000 collegiate and alumni chapters located in the United States, England, Japan, Germany, Virgin Island, Bermuda, Bahamas, Jamaica and the Rep. of Korea. Needless to say, today, Delta Sigma Theta Sorority is the largest African American Greek lettered sorority in the world.

Today they commit their energies to community service, leadership, educating the youth, promoting physical and mental health, political awareness and involvement and strengthening the African American family.

In many ways they are Like the Big Red 1 – they are soldiers in the fight for justice all over the world.

Please join me in a sincere welcome to the Kansas members of the Delta Sigma Theta Sorority.

## CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 117** from Committee on Insurance and referral to Committee on Taxation.

## MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **SB 113**, requests a conference and has appointed Senators **King, Smith** and **Haley** as conferees on the part of the Senate.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 113**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

## CONSENT CALENDAR

No objection was made to **SB 43, SB 47** appearing on the Consent Calendar for the second day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2089**, AN ACT concerning alcoholic beverages; relating to licensure; relating to undisclosed beneficial interests in a license; amending K.S.A. 2014 Supp. 41-311 and 41-2623 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Davis, Frownfelter, Huebert, Schwartz, Victors.

The bill passed.

**HB 2125**, AN ACT concerning alcoholic beverages; relating to regulation of licensees; amending K.S.A. 41-321, 41-2609 and 41-2633a and K.S.A. 2014 Supp. 41-319, 41-320, 41-326, 41-328, 41-719 and 41-2611 and repealing the existing sections; also repealing K.S.A. 41-314, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Frownfelter, Huebert, Schwartz, Victors.

The bill passed, as amended.

**HB 2191**, AN ACT concerning alcoholic beverages; relating to provision of samples by distributor licensees; amending K.S.A. 41-709 and K.S.A. 2014 Supp. 41-306, 41-306a and 41-307 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 9; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Sawyer, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Edmonds, Esau, Kahrs, O'Brien, Peck, Ryckman Sr., Scapa, Schroeder, Whitmer.

Present but not voting: None.

Absent or not voting: Frownfelter, Huebert, Schwartz, Victors.

The bill passed.

**HB 2223**, AN ACT concerning the dispensing of alcoholic liquor, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 21; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Mason, McPherson, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Sawyer, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Brunk, B. Carpenter, W. Carpenter, Dove, Edmonds, Hoffman, K. Jones, Kahrs, Kelley, Kiegerl, Macheers, Mast, O'Brien, Peck, Powell, Read, Ryckman Sr., Scapa, Schroeder, Thimesch.

Present but not voting: None.

Absent or not voting: Frownfelter, Huebert, Schwartz, Victors.

The bill passed, as amended.

**HB 2331**, AN ACT concerning alcoholic beverages; permitting consumption at catered events and by patrons on certain unlicensed premises; amending K.S.A. 41-

2643 and K.S.A. 2014 Supp. 41-104 and 41-719 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 30; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Grosserode, Hawkins, Hemsley, Henderson, Henry, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, McPherson, Merrick, Moxley, Osterman, Patton, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ryckman, Sawyer, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bollier, Brunk, B. Carpenter, W. Carpenter, DeGraaf, Dove, Edmonds, Gonzalez, Hedke, Hibbard, Highberger, Houston, K. Jones, Kahrs, Kelley, Kiegerl, Macheers, Mason, Mast, O'Brien, Ousley, Pauls, Peck, Read, Ruiz, Ryckman Sr., Scapa, Schroeder, Thimesch.

Present but not voting: None.

Absent or not voting: Frownfelter, Huebert, Schwartz, Victors.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Highland in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Highland, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2387, SB 21** be passed.

Committee report to **Sub SB 38** be adopted; and the bill be passed as amended.

Committee report to **SB 109** be adopted; and the bill be passed as amended.

Committee report to **SB 228** be adopted; and the bill be passed as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 36** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 36," as follows:

"House Substitute for SENATE BILL NO. 36

By Committee on Agriculture and Natural Resources

"AN ACT concerning the department of health and environment; creating the local conservation lending program."; and the substitute bill be passed.

(**H Sub for SB 36** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **SB 156** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) Any water right owner or a group of water right owners in a designated area may enter into a consent agreement and order with the chief engineer to establish a water conservation area. The water right owner or group of water right

owners shall submit a management plan to the chief engineer. Such management plan shall be the basis of the consent agreement and order designating a water conservation area and shall:

- (1) Include clear geographic boundaries;
- (2) include the written consent of all participating water right owners within the geographic boundaries described in paragraph (1) to enter into the consent agreement and order;
- (3) include a finding or findings that one or more of the circumstances specified in K.S.A. 82a-1036(a) through (d), and amendments thereto, exist;
- (4) include provisions regarding the proposed duration of the water conservation area and any process by which water right owners may request to be added or removed from the water conservation area;
- (5) include goals and corrective control provisions to address one or more of the circumstances specified in K.S.A. 82a-1036(a) through (d), and amendments thereto;
- (6) give due consideration to water users who have previously implemented reductions in water use resulting in voluntary conservation measures;
- (7) include compliance monitoring and enforcement; and
- (8) be consistent with state law.

(b) A consent agreement and order of designation of a water conservation area pursuant to this section shall define the boundaries of the water conservation area and may include any of the following corrective control provisions:

- (1) Closing the water conservation area to any further appropriation of groundwater. In which event, the chief engineer shall thereafter refuse to accept any application for a permit to appropriate groundwater located within such area;
- (2) determining the permissible total withdrawal of groundwater in the water conservation area each day, month or year, and apportioning such permissible total withdrawal among the valid groundwater right holders in such area in accordance with the relative dates of priority of such rights;
- (3) reducing the permissible withdrawal of groundwater by any one or more appropriators thereof, or by wells in the water conservation area;
- (4) requiring and specifying a system of rotation of groundwater use in the water conservation area; and
- (5) any other provisions necessary to effectuate agreed-upon water conservation goals consistent with the public interest.

The chief engineer shall be responsible for the monitoring and enforcement of any corrective control provisions ordered for a water conservation area.

(c) The order of designation shall be in full force and effect from the date of its entry in the records of the chief engineer's office. The chief engineer upon request shall deliver a copy of such order to any interested person who is affected by such order and shall file a copy of the same with the register of deeds of any county within which any part of the water conservation area lies.

(d) If any corrective control provisions of a water conservation area conflict with rules and regulations of a groundwater management district or requirements of a local enhanced management plan or intensive groundwater use control area that result in greater overall conservation of water resources within which a participating water right is situated, the chief engineer is authorized to amend the provisions of the water conservation area to conform to any rules and regulations or requirements that result in

greater conservation of water resources, as determined by the chief engineer. As part of the consent agreement and order of designation, the chief engineer may authorize single-year or multi-year term permits for water right owners to effectuate the water conservation area's conservation goals in accordance with the management plan.

(e) Prior to execution of a proposed water conservation area consent agreement and order of designation pursuant to this section, the chief engineer shall notify in writing the groundwater management district within which any participating water right is situated. Such groundwater management district shall be given an opportunity to provide a written recommendation regarding the proposed water conservation area and management plan within 45 days of notification by the chief engineer. The review period may be extended by up to 30 days upon approval by the chief engineer. Subject to subsection (d), any participating water right in a water conservation area shall continue to be subject to all applicable rules and regulations and management plans of the groundwater management district in which the water right is situated.

(f) The consent agreement and order of designation shall provide for periodic review of the consent agreement and order, which may be initiated by the chief engineer or upon request of the water right owners in the water conservation area. The consent agreement and order shall specify the frequency of such periodic review, but a review shall be conducted at least once every 10 years.

(g) (1) The chief engineer may, with the consent of all participating water right owners, amend a consent agreement and order of designation in order to:

- (A) Modify corrective control provisions or the boundaries of the designated area;
- (B) add or remove water rights upon request of such water right owners;
- (C) terminate a water conservation area upon the request of the water right owners in the designated area; or
- (D) make other changes the water right owners may request.

(2) Any amendments to a consent agreement and order of designation, except amendments that remove a water right upon request of the owner so long as the consent of all participating water right owners is not required pursuant to the management plan, shall be consented to by all participating water right owners within the designated area and the chief engineer and shall be based upon a revised management plan submitted by the participating water right owners.

(h) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

(i) The provisions of this section shall be part of and supplemental to the Kansas water appropriation act.

Sec. 2. K.S.A. 2014 Supp. 2-2903 is hereby amended to read as follows: 2-2903.

(a) Every package or container of agricultural liming materials sold, offered or exposed for sale in this state shall have affixed to each package in a conspicuous manner on the outside thereof, a plainly printed, stamped or otherwise marked label, tag or statement setting forth the following information: (1) The name and principal office address of the manufacturer or distributor;

- (2) the brand or trade name of the material;
- (3) the identification of the product as to type of agricultural liming material;
- (4) the net weight of the agricultural liming material;
- (5) the calcium carbonate equivalent as determined by methods ~~prescribed by the association of official analytical chemists~~, and in such minimum amounts as prescribed

by rules and regulations of the secretary of agriculture; and

(6) the minimum percentage by weight passing through U.S. standard sieves, as prescribed by rules and regulations;

(7) the minimum percentage of weight of effective calcium carbonate equivalent (ECC), a function of calcium carbonate equivalent and fineness as prescribed by rules and regulations of the secretary of agriculture.

(b) In any case where a bulk sale of agricultural liming materials is made, the delivery slip identifying such sale shall contain the information required by subsection (a)(7).

(c) No information or statement shall appear on any package, label, delivery slip or advertising material which is false or misleading to the purchaser as to the quality, analysis, type or composition of the agricultural liming material.

(d) In the case of any material which has been adulterated subsequent to packaging, labeling or loading thereof but before delivery to the consumer, a plainly marked notice to that effect shall be affixed by the vendor to the package or delivery slip to identify the kind and degree of adulteration therein.

(e) At every site from which agricultural liming materials are delivered in bulk or orders for bulk deliveries are placed by consumers, there shall be conspicuously posted a statement setting forth the information required by subsection (a) of this section for each brand of material.

Sec. 3. K.S.A. 2-2907 is hereby amended to read as follows: 2-2907. (a) It shall be the duty of the secretary or ~~his or her~~ the secretary's duly authorized agent to sample, inspect, make analyses of and test agricultural liming materials distributed within this state as often as the secretary may deem necessary to determine whether such agricultural liming materials are in compliance with the provisions of this act. The secretary or ~~his or her~~ the secretary's agent may enter upon any public or private premises or carriers during regular business hours in order to have access to agricultural liming material subject to the provisions of this act, and to any records relating to their distribution.

(b) The methods of analysis and sampling shall be those approved by the secretary; ~~and shall be guided by association of official analytical chemists procedures.~~";

On page 2, in line 8, before "K.S.A." by inserting "K.S.A. 2-2907 and"; also in line 8, after "Supp." by inserting "2-2903 and"; also in line 8, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "water; relating to"; also in line 1, after "concerning" by inserting "the department of agriculture; relating to water conservation areas; agricultural liming materials"; in line 2, before "K.S.A." by inserting "K.S.A. 2-2907 and"; also in line 2, after "Supp." by inserting "2-2903 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2370** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2370," as follows:

"Substitute for HOUSE BILL NO. 2370

By Committee on Appropriations

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain

restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, 68-2320, 74-50,107, 74-8963, 74-99b34, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b34a."; and the substitute bill be passed.

(**Sub HB 2370** was thereupon introduced and read by title.)

Committee on **Commerce, Labor and Economic Development** recommends **HB 2391** be amended on page 5, by striking all in lines 4 through 43;

On page 6, by striking all in lines 1 through 21;

And by renumbering sections accordingly;

Also on page 6, in line 22, by striking "K.S.A. 75-5549 and"; also in line 22, by striking all after "75-2935"; in line 23, by striking "are" and inserting "is";

On page 1, in the title, in line 2, by striking all after the first semicolon; in line 3, by striking "K.S.A. 75-5549 and"; also in line 3, by striking all after "75-2935"; also in line 4, by striking "5541"; also in line 4, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 154** be amended on page 1, in line 31, after the period by inserting "(1) For initial claims effective prior to July 1, 2015, the maximum weekly benefit amount shall be determined as follows:";

On page 2, in line 15, by striking "(d)"; by striking all in lines 26 through 43;

On page 3, by striking all in lines 1 through 4 and inserting:

"(2) For initial claims effective on or after July 1, 2015, the maximum weekly benefit amount shall be determined as follows: On July 1 of each year, the secretary shall determine the maximum weekly benefit amount by computing 55% of the average weekly wages paid to employees in insured work during the previous calendar year, but not to be less than \$474, and shall, prior to that date, announce the maximum weekly benefit amount so determined by publication in the Kansas register. Such computation shall be made by dividing the gross wages reported as paid for insured work during the previous calendar year by the product of the average of mid-month employment during such calendar year multiplied by 52. The maximum weekly benefit amount so determined and announced for the 12-month period shall apply only to those claims filed in that period qualifying for maximum payment under the foregoing formula. All claims qualifying for payment at the maximum weekly benefit amount shall be paid at the maximum weekly benefit amount in effect when the benefit year to which the claim relates was first established, notwithstanding a change in the maximum benefit amount for a subsequent 12-month period. If the computed maximum weekly benefit amount is not a multiple of \$1, then the computed maximum weekly benefit amount shall be reduced to the next lower multiple of \$1.";

Also on page 3, in line 30, by striking "(e)" and inserting "(f)"; in line 32, by striking "(e)" and inserting "(f)"; in line 43, by striking "(e)" and inserting "(f)";

On page 4, in line 2, by striking "(e)" and inserting "(f)";

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

On page 25, in line 22, by striking "(j)" and inserting "(g)";

On page 26, following line 4, by inserting:



"Sec. 4. K.S.A. 2014 Supp. 44-706 is hereby amended to read as follows: 44-706. The secretary shall examine whether an individual has separated from employment for each week claimed. The secretary shall apply the provisions of this section to the individual's most recent employment prior to the week claimed. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, "good cause" is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual's weekly benefit amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing health care provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available. As used in this paragraph "health care provider" means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enlist in the armed forces of the United States, but was rejected or delayed from entry;

(4) the spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual's spouse from one job to another job, which is for the same employer or for a different employer, at a geographic location which makes it unreasonable for the individual to continue work at the individual's job. For the purposes of this provision the term "armed forces" means active duty in the army, navy, marine corps, air force, coast guard or any branch of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall

include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for such work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up such worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to, consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties which is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in such agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services or shelter from an agency which provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations which may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6421, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, such individual shall be disqualified for benefits until such individual again becomes employed and has had earnings from insured work of at least eight times such individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No such cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) For the purposes of this subsection, "misconduct" is defined as a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of such individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited to, violation of the employer's reasonable attendance expectations if the facts show:

(i) The individual was absent or tardy without good cause;

(ii) the individual had knowledge of the employer's attendance expectation; and

(iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, such evidence shall include documentation from a licensed and practicing health care provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

(i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(ii) the impairment caused by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(iii) a positive breath alcohol test or a positive chemical test, provided:

(a) The test was either:

(1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;

(4) required by law and the test constituted a required condition of employment for the individual's job; or

(5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(b) the test sample was collected either:

(1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) as prescribed by the written policy of the employer of which the employee had knowledge and which constituted a required condition of employment;

(4) as prescribed by a test which was required by law and which constituted a required condition of employment for the individual's job; or

(5) at a time contemporaneous with the events establishing probable cause;

(c) the collecting and labeling of a chemical test sample was performed by a licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;

(d) the chemical test was performed by a laboratory approved by the United States

department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;

(e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no such confirmation is required for a blood alcohol sample or a breath alcohol test;

(f) the breath alcohol test was administered by an individual trained to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and

(g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;

(iv) an individual's refusal to submit to a chemical test or breath alcohol test, provided:

(a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;

(b) the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(v) an individual's dilution or other tampering of a chemical test.

(C) For purposes of this subsection:

(i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;

(ii) "alcoholic liquor" shall be defined as provided in K.S.A. 41-102, and amendments thereto;

(iii) "cereal malt beverage" shall be defined as provided in K.S.A. 41-2701, and amendments thereto;

(iv) "chemical test" shall include, but is not limited to, tests of urine, blood or saliva;

(v) "controlled substance" shall be defined as provided in K.S.A. 2014 Supp. 21-5701, and amendments thereto;

(vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;

(vii) "positive breath test" shall mean a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a

test result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program;

(viii) "positive chemical test" shall mean a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.

(4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time at which such individual intended to quit and any individual who commits misconduct after such individual gives notice to such individual's intent to quit shall be disqualified;

(B) the individual was making a good-faith effort to do the assigned work but was discharged due to: (i) Inefficiency; (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience; (iii) isolated instances of ordinary negligence or inadvertence; (iv) good-faith errors in judgment or discretion; or (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or

(C) the individual's refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of labor, or an employer, such disqualification shall begin with the week in which such failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times such individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably fitted by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing such work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in

the locality; (3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and (4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to such domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work which exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or persons designated by the secretary, that: (1) The individual is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of such labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week with respect to which or a part of which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or the United States finally determines that the individual is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) For any week with respect to which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ex-service men and women in recognition of former service with the military or naval services of the United States.

(g) For the period of five years beginning with the first day following the last week of unemployment for which the individual received benefits, or for five years from the date the act was committed, whichever is the later, if the individual, or another in such individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other



provision of law, such penalty shall be deposited into the employment security trust fund.

(h) For any week with respect to which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in ~~subsection (v) of K.S.A. 44-703(v)~~, and amendments thereto, if such week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during such period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in ~~subsection (v) of K.S.A. 44-703(v)~~, and amendments thereto, if such week begins during the period between two successive academic years or terms if the individual performs such services in the first of such academic years or terms and there is a reasonable assurance that the individual will perform such services in the second of such academic years or terms, except that if benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in ~~subsection (v) of K.S.A. 44-703(v)~~, and amendments thereto, if such week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before such vacation period or holiday recess and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, if such week begins during the period between two successive sport seasons or similar period if such individual performed services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals



applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by such employer, except that: (1) If the entire contributions to such plan were provided by the base period employer but such individual's weekly benefit amount exceeds such governmental or other pension, retirement or retired pay, annuity or other similar periodic payment attributable to such week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of such pension, retirement or retired pay, annuity or other similar periodic payment which is attributable to such week; or (2) if only a portion of contributions to such plan were provided by the base period employer, the weekly benefit amount payable to such individual for such week shall be reduced, but not below zero, by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by such individual; or (3) if the entire contributions to the plan were provided by such individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection; or (4) whatever portion of contributions to such plan were provided by the base period employer, if the services performed for the employer by such individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, such pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection. No reduction shall be made for payments made under the social security act or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) which an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in ~~subsection (v) of K.S.A. 44-703(v)~~, and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such

academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) which are provided to or on behalf of an educational institution, as defined in ~~subsection (v)~~ of K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer which is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 which is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection provided:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance;

(2) the individual is attending approved training as defined in ~~subsection (s)~~ of K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes, which would not affect availability for work, and is otherwise eligible under ~~subsection (e)~~ of K.S.A. 44-705(e), and amendments thereto.

(s) For any week with respect to which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of such specificity in the award or agreement, such remuneration shall be allocated to the week or weeks in which such remuneration, in the judgment of the secretary, would have been paid.

(1) For any such weeks that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, such employer shall pay the department the amount withheld. With respect to such amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

(t) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of

unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until such applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any such individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

(u) If the individual was found not to have a disqualifying adjudication or conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

(v) Notwithstanding the provisions of any subsection, an individual shall not be disqualified for such week of part-time employment in a substitute capacity for an educational institution if such individual's most recent employment prior to the individual's benefit year begin date was for a non-educational institution and such individual demonstrates application for work in such individual's customary occupation or for work for which the individual is reasonably fitted by training or experience.

Sec. 5. K.S.A. 2014 Supp. 44-709 is hereby amended to read as follows: 44-709.

(a) *Filing.* Claims for benefits shall be made in accordance with rules and regulations adopted by the secretary. The secretary shall furnish a copy of such rules and regulations to any individual requesting them. Each employer shall post and maintain printed statements furnished by the secretary without cost to the employer in places readily accessible to individuals in the service of the employer.

(b) *Determination.* (1) Except as otherwise provided in this paragraph, a representative designated by the secretary, and hereinafter referred to as an examiner, shall promptly examine the claim and, on the basis of the facts found by the examiner, shall determine whether or not the claim is valid. If the examiner determines that the claim is valid, the examiner shall determine the first day of the benefit year, the weekly benefit amount and the total amount of benefits payable with respect to the benefit year. If the claim is determined to be valid, the examiner shall send a notice to the last employing unit who shall respond within 10 days by providing the examiner all requested information including all information required for a decision under K.S.A. 44-706, and amendments thereto. The information may be submitted by the employing unit in person at an employment office of the secretary or by mail, by telefacsimile machine or by electronic mail. If the required information is not submitted or

postmarked within a response time limit of 10 days after the examiner's notice was sent, the employing unit shall be deemed to have waived its standing as a party to the proceedings arising from the claim and shall be barred from protesting any subsequent decisions about the claim by the secretary, a referee, the employment security board of review or any court, except that the employing unit's response time limit may be waived or extended by the examiner or upon appeal, if timely response was impossible due to excusable neglect. In any case in which the payment or denial of benefits will be determined by the provisions of ~~subsection (d) of K.S.A. 44-706(d)~~, and amendments thereto, the examiner shall promptly transmit the claim to a special examiner designated by the secretary to make a determination on the claim after the investigation as the special examiner deems necessary. The parties shall be promptly notified of the special examiner's decision and any party aggrieved by the decision may appeal to the referee as provided in subsection (c). The claimant and the claimant's most recent employing unit shall be promptly notified of the examiner's or special examiner's decision.

(2) The examiner may for good cause reconsider the examiner's decision and shall promptly notify the claimant and the most recent employing unit of the claimant, that the decision of the examiner is to be reconsidered, except that no reconsideration shall be made after the termination of the benefit year.

(3) Notwithstanding the provisions of any other statute, a decision of an examiner or special examiner shall be final unless the claimant or the most recent employing unit of the claimant files an appeal from the decision as provided in subsection (c), except that the time limit for appeal may be waived or extended by the referee or board of review if a timely response was impossible due to excusable neglect. The appeal must be filed within 16 calendar days after the mailing of notice to the last known addresses of the claimant and employing unit or, if notice is not by mail, within 16 calendar days after the delivery of the notice to the parties.

(c) *Appeals.* Unless the appeal is withdrawn, a referee, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the examiner or special examiner. The parties shall be duly notified of the referee's decision, together with the reasons for the decision. The decision shall be final, notwithstanding the provisions of any other statute, unless a further appeal to the employment security board of review is filed within 16 calendar days after the mailing of the decision to the parties' last known addresses or, if notice is not by mail, within 16 calendar days after the delivery of the decision, except that the time limit for appeal may be waived or extended by the referee or board of review if a timely response was impossible due to excusable neglect.

(d) *Referees.* The secretary shall appoint, in accordance with ~~subsection (e) of K.S.A. 44-714(c)~~, and amendments thereto, one or more referees to hear and decide disputed claims.

(e) *Time, computation and extension.* In computing the period of time for an employing unit response or for appeals under this section from the examiner's or the special examiner's determination or from the referee's decision, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday or legal holiday.

(f) *Board of review.* (1) There is hereby created an employment security board of

review, hereinafter referred to as the board, consisting of three members. Each member of the board shall be appointed for a term of four years as provided in this subsection. Not more than two members of the board shall belong to the same political party.

(2) When a vacancy on the employment security board of review occurs, the workers compensation and employment security boards nominating committee established under K.S.A. 44-551, and amendments thereto, shall convene and submit a nominee to the governor for appointment to each vacancy on the employment security board of review, subject to confirmation by the senate as provided by K.S.A. 75-4315b, and amendments thereto. The governor shall either: (A) Accept and submit to the senate for confirmation the person nominated by the nominating committee; or (B) reject the nomination and request the nominating committee to nominate another person for that position. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the employment security board of review, whose appointment is subject to confirmation by the senate, shall exercise any power, duty or function as a member until confirmed by the senate.

(3) No member of the employment security board of review shall serve more than two consecutive terms.

(4) Each member of the employment security board shall serve until a successor has been appointed and confirmed. Any vacancy in the membership of the board occurring prior to expiration of a term shall be filled by appointment for the unexpired term in the same manner as provided for original appointment of the member.

(5) Each member of the employment security board of review shall be entitled to receive as compensation for the member's services at the rate of \$15,000 per year, together with the member's travel and other necessary expenses actually incurred in the performance of the member's official duties in accordance with rules and regulations adopted by the secretary. Members' compensation and expenses shall be paid from the employment security administration fund.

(6) The employment security board of review shall organize annually by the election of a chairperson from among its members. The chairperson shall serve in that capacity for a term of one year and until a successor is elected. The board shall meet on the first Monday of each month or on the call of the chairperson or any two members of the board at the place designated. The secretary of labor shall appoint an executive secretary of the board and the executive secretary shall attend the meetings of the board.

(7) The employment security board of review, on its own motion, may affirm, modify or set aside any decision of a referee on the basis of the evidence previously submitted in the case; may direct the taking of additional evidence; or may permit any of the parties to initiate further appeal before it. The board shall permit such further appeal by any of the parties interested in a decision of a referee which overrules or modifies the decision of an examiner. The board may remove to itself the proceedings on any claim pending before a referee. Any proceedings so removed to the board shall be heard in accordance with the requirements of subsection (c). The board shall promptly notify the interested parties of its findings and decision.

(8) Two members of the employment security board of review shall constitute a quorum and no action of the board shall be valid unless it has the concurrence of at least two members. A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(g) *Procedure.* The manner in which disputed claims are presented, the reports on

claims required from the claimant and from employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the employment security board of review for determining the rights of the parties, whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings and decisions in connection with a disputed claim. All testimony at any hearing upon a disputed claim shall be recorded, but need not be transcribed unless the disputed claim is further appealed. In the performance of its official duties, the board shall have access to all of the records which pertain to the disputed claim and are in the custody of the secretary of labor and shall receive the assistance of the secretary upon request.

(h) *Witness fees.* Witnesses subpoenaed pursuant to this section shall be allowed fees and necessary travel expenses at rates fixed by the board. Such fees and expenses shall be deemed a part of the expense of administering this act.

(i) ~~*Court review*~~ *Review of board action.* Any action of the employment security board of review ~~is subject to review~~ may not be reconsidered after the mailing of the decision. An action of the board shall become final unless a petition for review in accordance with the Kansas judicial review act is filed within 16 calendar days after the date of the mailing of the decision. If an appeal has not been filed within 16 calendar days of the date of the mailing of the decision, the decision becomes final. No bond shall be required for commencing an action for such review. ~~In the absence of an action for such review, the action of such board shall become final 16 calendar days after the date of the mailing of the decision.~~ In addition to those persons having standing pursuant to K.S.A. 77-611, and amendments thereto, the examiner shall have standing to obtain judicial review of an action of such board. The review proceeding, and the questions of law certified, shall be heard in a summary manner and shall be given precedence over all other civil cases except cases arising under the workers compensation act.

(j) Any finding of fact or law, judgment, determination, conclusion or final order made by the employment security board of review or any examiner, special examiner, referee or other person with authority to make findings of fact or law pursuant to the employment security law is not admissible or binding in any separate or subsequent action or proceeding, between a person and a present or previous employer brought before an arbitrator, court or judge of the state or the United States, regardless of whether the prior action was between the same or related parties or involved the same facts.

(k) In any proceeding or hearing conducted under this section, a party to the proceeding or hearing may appear before a referee or the employment security board of review either personally or by means of a designated representative to present evidence and to state the position of the party. Hearings may be conducted in person, by telephone or other means of electronic communication. The hearing shall be conducted by telephone or other means of electronic communication if none of the parties requests an in-person hearing. If only one party requests an in-person hearing, the referee shall have the discretion of requiring all parties to appear in person or allow the party not requesting an in-person hearing to appear by telephone or other means of electronic communication. The notice of hearing shall include notice to the parties of their right to request an in-person hearing and instructions on how to make the request.

Sec. 6. K.S.A. 2014 Supp. 44-714 is hereby amended to read as follows: 44-714.

(a) *Duties and powers of secretary.* It shall be the duty of the secretary to administer this act and the secretary shall have power and authority to adopt, amend or revoke such rules and regulations, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as the secretary deems necessary or suitable to that end. Such rules and regulations may be adopted, amended, or revoked by the secretary only after public hearing or opportunity to be heard thereon. The secretary shall determine the organization and methods of procedure in accordance with the provisions of this act, and shall have an official seal which shall be judicially noticed. The secretary shall make and submit reports for the administration of the employment security law in the manner prescribed by K.S.A. 75-3044 to 75-3046, inclusive, and 75-3048, and amendments thereto. Whenever the secretary believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, the secretary shall promptly so inform the governor and the legislature, and make recommendations with respect thereto.

(b) *Publication.* The secretary shall cause to be printed for distribution to the public the text of this act, the secretary's rules and regulations and any other material the secretary deems relevant and suitable and shall furnish the same to any person upon application therefor.

(c) *Personnel.* (1) Subject to other provisions of this act, the secretary is authorized to appoint, fix the compensation, and prescribe the duties and powers of such officers, accountants, deputies, attorneys, experts and other persons as may be necessary in carrying out the provisions of this act. ~~The secretary shall classify all positions and shall establish salary schedules and minimum personnel standards for the positions so classified. The secretary shall provide for the holding of examinations to determine the qualifications of applicants for the positions so classified, and, except to temporary appointments not to exceed six months in duration, shall appoint all personnel on the basis of efficiency and fitness as determined in such examinations. The secretary shall not appoint or employ any person who is an officer or committee member of any political party organization or who holds or is a candidate for a partisan elective public office. The secretary shall adopt and enforce fair and reasonable rules and regulations for appointment, promotions and demotions, based upon ratings of efficiency and fitness and for terminations for cause. The secretary may delegate to any such person so appointed such power and authority as the secretary deems reasonable and proper for the effective administration of this act, and may in the secretary's discretion bond any person handling moneys or signing checks under the employment security law.~~

(2) ~~No employee engaged in the administration of the employment security law shall directly or indirectly solicit or receive or be in any manner concerned with soliciting or receiving any assistance, subscription or contribution for any political party or political purpose, other than soliciting and receiving contributions for such person's personal campaign as a candidate for a nonpartisan elective public office, nor shall any employee engaged in the administration of the employment security law participate in any form of political activity except as a candidate for a nonpartisan elective public office, nor shall any employee champion the cause of any political party or the candidacy of any person other than such person's own personal candidacy for a nonpartisan elective public office. Any employee engaged in the administration of the employment security law who violates these provisions shall be immediately discharged. No person shall solicit or receive any contribution for any political purpose~~



~~from any employee engaged in the administration of the employment security law and any such action shall be a misdemeanor and shall be punishable by a fine of not less than \$100 nor more than \$1,000 or by imprisonment in the county jail for not less than 30 days nor more than six months, or both.~~

(d) *Employment stabilization.* The secretary, with the advice and aid of the appropriate divisions of the department of labor, shall take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of vocational training, retraining and vocational guidance; to investigate, recommend, advise, and assist in the establishment and operation, by municipalities, counties, school districts and the state, of reserves for public works to be used in time of business depression and unemployment; to promote the reemployment of unemployed workers throughout the state in every other way that may be feasible; and to these ends to carry on and publish the results of investigations and research studies.

(e) *Records and reports.* Each employing unit shall keep true and accurate work records, containing such information as the secretary may prescribe. Such records shall be open to inspection and subject to being copied by the secretary or the secretary's authorized representatives at any reasonable time and shall be preserved for a period of five years from the due date of the contributions or payments in lieu of contributions for the period to which they relate. Only one audit shall be made of any employer's records for any given period of time. Upon request the employing unit shall be furnished a copy of all findings by the secretary or the secretary's authorized representatives, resulting from such audit. A special inquiry or special examination made for a specific and limited purpose shall not be considered to be an audit for the purpose of this subsection. The secretary may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, which the secretary deems necessary for the effective administration of this act. Information thus obtained or obtained from any individual pursuant to the administration of this act shall be held confidential, except to the extent necessary for the proper presentation of a claim by an employer or employee under the employment security law, and shall not be published or be open to public inspection, other than to public employees in the performance of their public duties, in any manner revealing the individual's or employing unit's identity. The secretary may publish or otherwise disclose appeals records and decisions, and precedential determinations on coverage of employers, employment and wages, provided all social security numbers have been removed. Any claimant or employing unit or their representatives at a hearing before an appeal tribunal or the secretary shall be supplied with information from such records to the extent necessary for the proper presentation of the claim. The transcript made at any such benefits hearing shall not be discoverable or admissible in evidence in any other proceeding, hearing or determination of any kind or nature. In the event of any appeal of a benefits matter, the transcript shall be sealed by the hearing officer and shall be available only to any reviewing authority who shall reseal the transcript after making a review of it. In no event shall such transcript be deemed a public record. Nothing in this subsection ~~(e)~~ shall be construed to prohibit disclosure of any information obtained under the employment security law, including hearing transcripts, upon request of either of the parties, for the purpose of administering or adjudicating a claim for benefits under the provisions of any other state program, except that any party receiving such information shall be prohibited from further disclosure and shall be subject to the same duty of confidentiality otherwise imposed by this



subsection-(e) and shall be subject to the penalties imposed by this subsection-(e) for violations of such duty of confidentiality. Nothing in this subsection-(e) shall be construed to prohibit disclosure of any information obtained under the employment security law, including hearing transcripts, for use as evidence in a criminal investigation or in open court in a criminal prosecution or at an appeal hearing under the employment security law. Nothing in this subsection shall be construed to prohibit disclosure of any information obtained under the employment security law, including hearing transcripts to an agent or contractor of a public official to whom disclosure is permissible under the employment security law, except that any party receiving such information shall be prohibited from further disclosure and shall be subject to the same duty of confidentiality otherwise imposed by this subsection and shall be subject to the penalties imposed by this subsection for violations of such duty of confidentiality. If the secretary or any officer or employee of the secretary violates any provisions of this subsection (e), the secretary or such officer or employee shall be fined not less than \$20 nor more than \$200 or imprisoned for not longer than 90 days, or both. Original records of the agency and original paid benefit warrants of the state treasurer may be made available to the employment security agency of any other state or the federal government to be used as evidence in prosecution of violations of the employment security law of such state or federal government. Photostatic copies of such records shall be made and where possible shall be substituted for original records introduced in evidence and the originals returned to the agency.

(f) *Oaths and witnesses.* In the discharge of the duties imposed by the employment security law, the chairperson of an appeal tribunal, an appeals referee, the secretary or any duly authorized representative of the secretary shall have power to administer oaths and affirmations, take depositions, issue interrogatories, certify to official acts, and issue subpoenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda and other records deemed necessary as evidence in connection with a disputed claim or the administration of the employment security law.

(g) *Subpoenas, service.* Upon request, service of subpoenas shall be made by the sheriff of a county within that county, by the sheriff's deputy, by any other person who is not a party and is not less than 18 years of age or by some person specially appointed for that purpose by the secretary of labor or the secretary's designee. A person not a party as described above or a person specially appointed by the secretary or the secretary's designee to serve subpoenas may make service any place in the state. The subpoena shall be served as follows:

(1) *Individual.* Service upon an individual, other than a minor or incapacitated person, shall be made: (A) By delivering a copy of the subpoena to the individual personally; (B) by leaving a copy at such individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein; (C) by leaving a copy at the business establishment of the employer with an officer or employee of the establishment; (D) by delivering a copy to an agent authorized by appointment or by law to receive service of process, but if the agent is one designated by a statute to receive service, such further notice as the statute requires shall be given; or (E) if service as prescribed above in subparagraphs (A), (B), (C) or (D) cannot be made with due diligence, by leaving a copy of the subpoena at the individual's dwelling house, usual place of abode or usual business establishment, and by mailing a notice by first-class mail to the place that the copy has been left.

(2) *Corporations and partnerships.* Service upon a domestic or foreign corporation or upon a partnership or other unincorporated association, when by law it may be sued as such, shall be made by delivering a copy of the subpoena to an officer, partner or resident managing or general agent thereof, or by leaving the copy at any business office of the employer with the person having charge thereof or by delivering a copy to any other agent authorized by appointment or required by law to receive service of process, if the agent is one authorized by law to receive service and, if the law so requires, by also mailing a copy to the employer.

(3) *Refusal to accept service.* In all cases when the person to be served, or an agent authorized by such person to accept service of petitions and summonses shall refuse to receive copies of the subpoena, the offer of the duly authorized process server to deliver copies thereof and such refusal shall be sufficient service of such subpoena.

(4) *Proof of service.* (A) Every officer to whom a subpoena or other process shall be delivered for service within or without the state, shall make return thereof in writing stating the time, place and manner of service of such writ and shall sign such officer's name to such return.

(B) If service of the subpoena is made by a person appointed by the secretary or the secretary's designee to make service, or any other person described in subsection (g) of this section, such person shall make an affidavit as to the time, place and manner of service thereof in a form prescribed by the secretary or the secretary's designee.

(5) *Time for return.* The officer or other person receiving a subpoena shall make a return of service promptly and shall send such return to the secretary or the secretary's designee in any event within 10 days after the service is effected. If the subpoena cannot be served it shall be returned to the secretary or the secretary's designee within 30 days after the date of issue with a statement of the reason for the failure to serve the same.

(h) *Subpoenas, enforcement.* In case of contumacy by or refusal to obey a subpoena issued to any person, any court of this state within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which such person guilty of contumacy or refusal to obey is found, resides or transacts business, upon application by the secretary or the secretary's duly authorized representative, shall have jurisdiction to issue to such person an order requiring such person to appear before the secretary, or the secretary's duly authorized representative, to produce evidence, if so ordered, or to give testimony relating to the matter under investigation or in question. Failure to obey such order of the court may be punished by the court as a contempt thereof. Any person who, without just cause, shall fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda or other records in obedience to the subpoena of the secretary or the secretary's duly authorized representative shall be punished by a fine of not less than \$200 or by imprisonment of not longer than 60 days, or both, and each day such violation continued shall be deemed to be a separate offense.

(i) *State-federal cooperation.* In the administration of this act, the secretary shall cooperate to the fullest extent consistent with the provisions of this act, with the federal security agency, shall make such reports, in such form and containing such information as the federal security administrator may from time to time require, and shall comply with such provisions as the federal security administrator may from time to time find necessary to assure the correctness and verification of such reports; and shall comply with the regulations prescribed by the federal security agency governing the expenditures of such sums as may be allotted and paid to this state under title III of the

social security act for the purpose of assisting in the administration of this act. Upon request therefor the secretary shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation, and employment status of each recipient of benefits and such recipient's rights to further benefits under this act.

(j) *Reciprocal arrangements.* The secretary shall participate in making reciprocal arrangements with appropriate and duly authorized agencies of other states or of the federal government, or both, whereby:

(1) Services performed by an individual for a single employing unit for which services are customarily performed in more than one state shall be deemed to be services performed entirely within any one of the states: (A) In which any part of such individual's service is performed; (B) in which such individual maintains residence; or (C) in which the employing unit maintains a place of business, provided there is in effect as to such services, an election, approved by the agency charged with the administration of such state's unemployment compensation law, pursuant to which all the services performed by such individual for such employing units are deemed to be performed entirely within such state;

(2) service performed by not more than three individuals, on any portion of a day but not necessarily simultaneously, for a single employing unit which customarily operates in more than one state shall be deemed to be service performed entirely within the state in which such employing unit maintains the headquarters of its business; provided that there is in effect, as to such service, an approved election by an employing unit with the affirmative consent of each such individual, pursuant to which service performed by such individual for such employing unit is deemed to be performed entirely within such state;

(3) potential rights to benefits accumulated under the employment compensation laws of one or more states or under one or more such laws of the federal government, or both, may constitute the basis for the payments of benefits through a single appropriate agency under terms which the secretary finds will be fair and reasonable as to all affected interests and will not result in any substantial loss to the fund;

(4) wages or services, upon the basis of which an individual may become entitled to benefits under an unemployment compensation law of another state or of the federal government, shall be deemed to be wages for insured work for the purpose of determining such individual's rights to benefits under this act, and wages for insured work, on the basis of which an individual may become entitled to benefits under this act, shall be deemed to be wages or services on the basis of which unemployment compensation under such law of another state or of the federal government is payable, but no such arrangement shall be entered into unless it contains provisions for reimbursements to the fund for such of the benefits paid under this act upon the basis of such wages or services, and provisions for reimbursements from the fund for such of the compensation paid under such other law upon the basis of wages for insured work, as the secretary finds will be fair and reasonable as to all affected interests; and

(5) (A) contributions due under this act with respect to wages for insured work shall be deemed for the purposes of K.S.A. 44-717, and amendments thereto, to have been paid to the fund as of the date payment was made as contributions therefor under another state or federal unemployment compensation law, but no such arrangement shall be entered into unless it contains provisions for such reimbursements to the fund

of such contributions and the actual earnings thereon as the secretary finds will be fair and reasonable as to all affected interests;

(B) reimbursements paid from the fund pursuant to subsection (j)(4) ~~of this section~~ shall be deemed to be benefits for the purpose of K.S.A. 44-704 and 44-712, and amendments thereto; the secretary is authorized to make to other state or federal agencies, and to receive from such other state or federal agencies, reimbursements from or to the fund, in accordance with arrangements entered into pursuant to the provisions of this section or any other section of the employment security law;

(C) the administration of this act and of other state and federal unemployment compensation and public employment service laws will be promoted by cooperation between this state and such other states and the appropriate federal agencies in exchanging services and in making available facilities and information; the secretary is therefore authorized to make such investigations, secure and transmit such information, make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as the secretary deems necessary or appropriate to facilitate the administration of any such unemployment compensation or public employment service law and, in like manner, to accept and utilize information, service and facilities made available to this state by the agency charged with the administration of any such other unemployment compensation or public employment service law; and

(D) to the extent permissible under the laws and constitution of the United States, the secretary is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under the employment security law of this state or under a similar law of such government.

(k) *Records available.* The secretary may furnish the railroad retirement board, at the expense of such board, such copies of the records as the railroad retirement board deems necessary for its purposes.

(l) *Destruction of records, reproduction and disposition.* The secretary may provide for the destruction, reproduction, temporary or permanent retention, and disposition of records, reports and claims in the secretary's possession pursuant to the administration of the employment security law provided that prior to any destruction of such records, reports or claims the secretary shall comply with K.S.A. 75-3501 to 75-3514, inclusive, and amendments thereto.

(m) *Federal cooperation.* The secretary may afford reasonable cooperation with every agency of the United States charged with administration of any unemployment insurance law.

(n) The secretary is hereby authorized to fix, charge and collect fees for copies made of public documents, as defined by ~~subsection (c) of K.S.A. 45-217(c)~~, and amendments thereto, by xerographic, thermographic or other photocopying or reproduction process, in order to recover all or part of the actual costs incurred, including any costs incurred in certifying such copies. All moneys received from fees charged for copies of such documents shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the employment security administration fund. No such fees

shall be charged or collected for copies of documents that are made pursuant to a statute which requires such copies to be furnished without expense.

Sec. 7. K.S.A. 2014 Supp. 44-717 is hereby amended to read as follows: 44-717. (a) (1) *Penalties on past-due reports, interest on past-due contributions, payments in lieu of contributions, benefit cost payments and interest assessments made under K.S.A. 44-710a, and amendments thereto.* Any employer or any officer or agent of an employer, who fails to file any wage report or contribution return by the last day of the month following the close of each calendar quarter to which they are related shall pay a penalty as provided by this subsection for each month or fraction of a month until the report or return is received by the secretary of labor except that for calendar years 2010 and 2011 an employer or any officer or agent of the employer shall have up to 90 days past the due date for any of the first three calendar quarters in a calendar year to pay such employer's contribution without being charged any interest, however, when the 90 day period has passed, the provisions of this section shall apply. The penalty for each month or fraction of a month shall be an amount equal to .05% of the total wages paid by the employer during the quarter, except that no penalty shall be less than \$25 nor more than \$200 for each such report or return not timely filed. Contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, unpaid by the last day of the month following the last calendar quarter to which they are related and payments in lieu of contributions unpaid 30 days after the mailing of the statement of benefit charges, shall bear interest at the rate of 1% per month or fraction of a month until payment is received by the secretary of labor except that an employing unit, which is not theretofore subject to this law and which becomes an employer and does not refuse to make the reports, returns and contributions, payments in lieu of contributions and benefit cost payments required under this law, shall not be liable for such penalty or interest if the wage reports and contribution returns required are filed and the contributions, payments in lieu of contributions or benefit cost payments required are paid within 10 days following notification by the secretary of labor that a determination has been made fixing its status as an employer subject to this law. Upon written request and good cause shown, the secretary of labor may abate any penalty or interest or portion thereof provided for by this subsection. Interest amounting to less than \$5 shall be waived by the secretary of labor and shall not be collected. Penalties and interest collected pursuant to this subsection shall be paid into the special employment security fund. For all purposes under this section, amounts assessed as surcharges under subsection (j) or under K.S.A. 44-710a, and amendments thereto, shall be considered to be contributions and shall be subject to penalties and interest imposed under this section and to collection in the manner provided by this section. For all purposes under this section, amounts assessed under K.S.A. 44-710a, and amendments thereto, shall be subject to penalties and interest imposed under this section and to collection in the manner provided in this section. For purposes of this subsection, a wage report, a contribution return, a contribution, a payment in lieu of contribution, a benefit cost payment or an interest assessment made pursuant to K.S.A. 44-710a, and amendments thereto, is deemed to be filed or paid as of the date it is placed in the United States mail.

(2) Notices of payment and reporting delinquency to Indian tribes or their tribal units shall include information that failure to make full payment within the prescribed time frame:

(i) Will cause the Indian tribe to be liable for taxes under FUTA;  
 (ii) will cause the Indian tribe to lose the option to make payments in lieu of contributions;

(iii) could cause the Indian tribe to be excepted from the definition of "employer," as provided in ~~paragraph (h)(3)~~ of K.S.A. 44-703(h)(3), and amendments thereto, and services in the employ of the Indian tribe, as provided in ~~paragraph (i)(3)(E)~~ of K.S.A. 44-703(i)(3)(E), and amendments thereto, to be excepted from "employment."

(b) *Collection.* (1) If, after due notice, any employer defaults in payment of any penalty, contributions, payments in lieu of contributions, benefit cost payments, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, or interest thereon the amount due may be collected by civil action in the name of the secretary of labor and the employer adjudged in default shall pay the cost of such action. Civil actions brought under this section to collect contributions, payments in lieu of contributions, benefit cost payments, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, penalties, or interest thereon from an employer shall be heard by the district court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other civil actions except petitions for judicial review under this act and cases arising under the workmen's compensation act. All liability determinations of contributions due, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, due shall be made within a period of five years from the date such contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, were due except such determinations may be made for any time when an employer has filed fraudulent reports with intent to evade liability.

(2) Any employing unit which is not a resident of this state and which exercises the privilege of having one or more individuals perform service for it within this state and any resident employing unit which exercises that privilege and thereafter removes from this state, shall be deemed thereby to appoint the secretary of state as its agent and attorney for the acceptance of process in any civil action under this subsection. In instituting such an action against any such employing unit the secretary of labor shall cause such process or notice to be filed with the secretary of state and such service shall be sufficient service upon such employing unit and shall be of the same force and validity as if served upon it personally within this state. The secretary of labor shall send notice immediately of the service of such process or notice, together with a copy thereof, by registered or certified mail, return receipt requested, to such employing unit at its last-known address and such return receipt, the affidavit of compliance of the secretary of labor with the provisions of this section, and a copy of the notice of service, shall be appended to the original of the process filed in the court in which such civil action is pending.

(3) The district courts of this state shall entertain, in the manner provided in subsections (b)(1) and (b)(2), actions to collect contributions, payments in lieu of contributions, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, and other amounts owed including interest thereon for which liability has accrued under the employment security law of any other state or of the federal government.

(c) *Priorities under legal dissolutions or distributions.* In the event of any

distribution of employer's assets pursuant to an order of any court under the laws of this state, including but not limited to any probate proceeding, interpleader, receivership, assignment for benefit of creditors, adjudicated insolvency, composition or similar proceedings, contributions payments in lieu of contributions or interest assessments made under K.S.A. 44-710a, and amendments thereto, then or thereafter due shall be paid in full from the moneys which shall first come into the estate, prior to all other claims, except claims for wages of not more than \$250 to each claimant, earned within six months of the commencement of the proceedings. In the event of an employer's adjudication in bankruptcy, judicially confirmed extension proposal, or composition, under the federal bankruptcy act of 1898, as amended, contributions then or thereafter due shall be entitled to such priority as is provided in that act for taxes due any state of the United States.

(d) *Assessments.* If any employer fails to file a report or return required by the secretary of labor for the determination of contributions, or payments in lieu of contributions, or benefit cost payments, the secretary of labor may make such reports or returns or cause the same to be made, on the basis of such information as the secretary may be able to obtain and shall collect the contributions, payments in lieu of contributions or benefit cost payments as determined together with any interest due under this act. The secretary of labor shall immediately forward to the employer a copy of the assessment by registered or certified mail to the employer's address as it appears on the records of the agency, and such assessment shall be final unless the employer protests such assessment and files a corrected report or return for the period covered by the assessment within 15 days after the mailing of the copy of assessment. Failure to receive such notice shall not invalidate the assessment. Notice in writing shall be presumed to have been given when deposited as certified or registered matter in the United States mail, addressed to the person to be charged with notice at such person's address as it appears on the records of the agency.

(e) (1) *Lien.* If any employer or person who is liable to pay contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, neglects or refuses to pay the same after demand, the amount, including interest and penalty, shall be a lien in favor of the state of Kansas, secretary of labor, upon all property and rights to property, whether real or personal, belonging to such employer or person. Such lien shall not be valid as against any mortgagee, pledgee, purchaser or judgment creditor until notice thereof has been filed by the secretary of labor in the office of register of deeds in any county in the state of Kansas, in which such property is located, and when so filed shall be notice to all persons claiming an interest in the property of the employer or person against whom filed. The register of deeds shall enter such notices in the financing statement record and shall also record the same in full in miscellaneous record and index the same against the name of the delinquent employer. The register of deeds shall accept, file, and record such notice without prepayment of any fee, but lawful fees shall be added to the amount of such lien and collected when satisfaction is presented for entry. Such lien shall be satisfied of record upon the presentation of a certificate of discharge by the state of Kansas, secretary of labor. Nothing contained in this subsection shall be construed as an invalidation of any lien or notice filed in the name of the unemployment compensation division or the employment security division and such liens shall be and remain in full force and effect until satisfied as provided by this subsection.



(2) *Authority of secretary or authorized representative.* If any employer or person who is liable to pay any contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, including interest and penalty, neglects or refuses to pay the same within 10 days after notice and demand therefor, the secretary or the secretary's authorized representative may collect such contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, including interest and penalty, and such further amount as is sufficient to cover the expenses of the levy, by levy upon all property and rights to property which belong to the employer or person or which have a lien created thereon by this subsection for the payment of such contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, including interest and penalty. As used in this subsection, "property" includes all real property and personal property, whether tangible or intangible, except such property which is exempt under K.S.A. 60-2301 et seq., and amendments thereto. Levy may be made upon the accrued salary or wages of any officer, employee or elected official of any state or local governmental entity which is subject to K.S.A. 60-723, and amendments thereto, by serving a notice of levy as provided in ~~subsection (d) of~~ K.S.A. 60-304(d), and amendments thereto. If the secretary or the secretary's authorized representative makes a finding that the collection of the amount of such contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, including interest and penalty, is in jeopardy, notice and demand for immediate payment of such amount may be made by the secretary or the secretary's authorized representative and, upon failure or refusal to pay such amount, immediate collection of such amount by levy shall be lawful without regard to the 10-day period provided in this subsection.

(3) *Seizure and sale of property.* The authority to levy granted under this subsection includes the power of seizure by any means. A levy shall extend only to property possessed and obligations existing at the time thereof. In any case in which the secretary or the secretary's authorized representative may levy upon property or rights to property, the secretary or the secretary's authorized representative may seize and sell such property or rights to property.

(4) *Successive seizures.* Whenever any property or right to property upon which levy has been made under this subsection is not sufficient to satisfy the claim of the secretary for which levy is made, the secretary or the secretary's authorized representative may proceed thereafter and as often as may be necessary, to levy in like manner upon any other property or rights to property which belongs to the employer or person against whom such claim exists or upon which a lien is created by this subsection until the amount due from the employer or person, together with all expenses, is fully paid.

(f) *Warrant.* In addition or as an alternative to any other remedy provided by this section and provided that no appeal or other proceeding for review permitted by this law shall then be pending and the time for taking thereof shall have expired, the secretary of labor or an authorized representative of the secretary may issue a warrant certifying the amount of contributions, payments in lieu of contributions, benefit cost payments, interest or penalty, and the name of the employer liable for same after giving



~~15 days-days'~~ prior notice. Upon request, service of final notices shall be made by the sheriff within the sheriff's county, by the sheriff's deputy or some person specially appointed by the secretary for that purpose, or by the secretary's designee. A person specially appointed by the secretary or the secretary's designee to serve final notices may make service any place in the state. Final notices shall be served as follows:

(1) *Individual.* Service upon an individual, other than a minor or incapacitated person, shall be made by delivering a copy of the final notice to the individual personally or by leaving a copy at such individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein, by leaving a copy at the business establishment of the employer with an officer or employee of the establishment, or by delivering a copy to an agent authorized by appointment or by law to receive service of process, but if the agent is one designated by a statute to receive service, such further notice as the statute requires shall be given. If service as prescribed above cannot be made with due diligence, the secretary or the secretary's designee may order service to be made by leaving a copy of the final notice at the employer's dwelling house, usual place of abode or business establishment.

(2) *Corporations and partnerships.* Service upon a domestic or foreign corporation or upon a partnership or other unincorporated association, when by law it may be sued as such, shall be made by delivering a copy of the final notice to an officer, partner or resident managing or general agent thereof by leaving a copy at any business office of the employer with the person having charge thereof or by delivering a copy to any other agent authorized by appointment or required by law to receive service of process, if the agent is one authorized by law to receive service and, if the law so requires, by also mailing a copy to the employer.

(3) *Refusal to accept service.* In all cases when the person to be served, or an agent authorized by such person to accept service of petitions and summonses, shall refuse to receive copies of the final notice, the offer of the duly authorized process server to deliver copies thereof and such refusal shall be sufficient service of such notice.

(4) *Proof of service.* (A) Every officer to whom a final notice or other process shall be delivered for service within or without the state, shall make return thereof in writing stating the time, place and manner of service of such writ, and shall sign such officer's name to such return.

(B) If service of the notice is made by a person appointed by the secretary or the secretary's designee to make service, such person shall make an affidavit as to the time, place and manner of service thereof in a form prescribed by the secretary or the secretary's designee.

(5) *Time for return.* The officer or other person receiving a final notice shall make a return of service promptly and shall send such return to the secretary or the secretary's designee in any event within 10 days after the service is effected. If the final notice cannot be served it shall be returned to the secretary or the secretary's designee within 30 days after the date of issue with a statement of the reason for the failure to serve the same. The original return shall be attached to and filed with any warrant thereafter filed.

(6) *Service by mail.* (A) Upon direction of the secretary or the secretary's designee, service by mail may be effected by forwarding a copy of the notice to the employer by registered or certified mail to the employer's address as it appears on the records of the agency. A copy of the return receipt shall be attached to and filed with any warrant thereafter filed.

(B) The secretary of labor or an authorized representative of the secretary may file the warrant for record in the office of the clerk of the district court in the county in which the employer owing such contributions, payments in lieu of contributions, benefit cost payments, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, interest, or penalty has business property. The warrant shall certify the amount of contributions, payments in lieu of contributions, benefit cost payments, interest and penalty due, and the name of the employer liable for such amount. It shall be the duty of the clerk of the district court to file such warrant of record and enter the warrant in the records of the district court for judgment and decrees under the procedure prescribed for filing transcripts of judgment.

(C) The clerk shall enter, on the day the warrant is filed, the case on the appearance docket, together with the amount and the time of filing the warrant. From the time of filing such warrant, the amount of the contributions, payments in lieu of contributions, benefit cost payments, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, interest, and penalty, certified therein, shall have the force and effect of a judgment of the district court until the same is satisfied by the secretary of labor or an authorized representative or attorney for the secretary. Execution shall be issuable at the request of the secretary of labor, an authorized representative or attorney for the secretary, as is provided in the case of other judgments.

(D) Postjudgment procedures shall be the same as for judgments according to the code of civil procedure.

(E) Warrants shall be satisfied of record by payment to the clerk of the district court of the contributions, payments in lieu of contributions, benefit cost payments, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, penalty, interest to date, and court costs. Warrants may also be satisfied of record by payment to the clerk of the district court of all court costs accrued in the case and by filing a certificate by the secretary of labor, certifying that the contributions, payments in lieu of contributions, benefit cost payments, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, interest and penalty have been paid.

(g) *Remedies cumulative.* The foregoing remedies shall be cumulative and no action taken shall be construed as an election on the part of the state or any of its officers to pursue any remedy or action under this section to the exclusion of any other remedy or action for which provision is made.

(h) *Refunds.* If any individual, governmental entity or organization makes application for refund or adjustment of any amount paid as contributions, benefit cost payments, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, or interest under this law and the secretary of labor determines that such amount or any portion thereof was erroneously collected, except for amounts less than \$5, the secretary of labor shall allow such individual or organization to make an adjustment thereof, in connection with subsequent contribution payments, or if such adjustment cannot be made the secretary of labor shall refund the amount, except for amounts less than \$5, from the employment security fund, except that all interest erroneously collected which has been paid into the special employment security fund shall be refunded out of the special employment security fund. No adjustment or refund shall be allowed with respect to a payment as contributions, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, or interest unless an application therefor is made on or before whichever of the following dates is later: (1) One year from the date

on which such payment was made; or (2) three years from the last day of the period with respect to which such payment was made. For like cause and within the same period adjustment or refund may be so made on the secretary's own initiative. The secretary of labor shall not be required to refund any contributions, payments in lieu of contributions or benefit cost payments based upon wages paid which have been used as base-period wages in a determination of a claimant's benefit rights when justifiable and correct payments have been made to the claimant as the result of such determination. For all taxable years commencing after December 31, 1997, interest at the rate prescribed in K.S.A. 79-2968, and amendments thereto, shall be allowed on a contribution or benefit cost payment which the secretary has determined was erroneously collected pursuant to this section.

(i) (1) *Cash deposit or bond.* If any contributing employer is delinquent in making payments under the employment security law during any two quarters of the most recent four-quarter period, the secretary or the secretary's authorized representative shall have the discretionary power to require such contributing employer either to deposit cash or to file a bond with sufficient sureties to guarantee the payment of contributions, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, penalty and interest owed by such employer.

(2) The amount of such cash deposit or bond shall be not less than the largest total amount of contributions, interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, penalty and interest reported by the employer in two of the four calendar quarters preceding any delinquency. Such cash deposit or bond shall be required until the employer has shown timely filing of reports and payment of contributions and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, for four consecutive calendar quarters.

(3) Failure to file such cash deposit or bond shall subject the employer to a surcharge of 2.0% which shall be in addition to the rate of contributions assigned to the employer under K.S.A. 44-710a, and amendments thereto. Contributions paid as a result of this surcharge shall not be credited to the employer's experience rating account. This surcharge shall be effective during the next full calendar year after its imposition and during each full calendar year thereafter until the employer has filed the required cash deposit or bond or has shown timely filing of reports and payment of contributions for four consecutive calendar quarters.

(j) Any officer, major stockholder or other person who has charge of the affairs of an employer, which is an employing unit described in section 501(c)(3) of the federal internal revenue code of 1954 or which is any other corporate organization or association, or any member or manager of a limited liability company, or any public official, who willfully fails to pay the amount of contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, required to be paid under the employment security law on the date on which such amount becomes delinquent, shall be personally liable for the total amount of the contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, and any penalties and interest due and unpaid by such employing unit. The secretary or the secretary's authorized representative may assess such person for the total amount of contributions, payments in lieu of contributions, benefit cost payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto,

and any penalties, and interest computed as due and owing. With respect to such persons and such amounts assessed, the secretary shall have available all of the collection remedies authorized or provided by this section.

(k) *Electronic filing of wage report and contribution return and electronic payment of contributions, benefit cost payments, reimbursing payments or interest assessments under K.S.A. 44-710a, and amendments thereto.* The following employers or third party administrators shall file all wage reports and contribution returns and make payment of contributions, benefit cost payments or reimbursing payments electronically as follows:

~~(1) Wage reports, contribution returns and payments due after June 30, 2008, for those employers with 250 or more employees or third party administrators with 250 or more client employees at the time such filing or payment is first due;~~

~~(2) wage reports, contribution returns and payments due after June 30, 2009, for those employers with 100 or more employees or third party administrators with 100 or more client employees at the time such filing or payment is first due; and~~

~~(3) Wage reports, contribution returns, payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, due after June 30, 2010, for those employers with 50 or more employees and for those third party administrators with 50 or more client employees at the time such filing or payment is first due; and~~

(2) wage reports, contribution returns, payments and interest assessments made pursuant to K.S.A. 44-710a, and amendments thereto, due after June 30, 2016, for all employers and third party administrators.

The requirements of this subsection may be waived by the secretary for an employer if the employer demonstrates a hardship in complying with this subsection.";

And by renumbering sections accordingly;

Also on page 26, in line 5, before "44-710a" by inserting ", 44-706, 44-709,"; also in line 5, after "44-710a" by inserting ", 44-714, 44-717";

On page 1, in the title, in line 2, after the second semicolon by inserting "administration by secretary of labor; employment security personnel,;" in line 3, before "44-710a" by inserting "44-706, 44-709,"; also in line 3, after "44-710a" by inserting ", 44-714, 44-717"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2182**, be amended by the adoption of the amendments recommended by the House Committee on Elections as reported in the Journal of the House on February 13, 2015, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Elections** recommends **HB 2213**, be amended by adoption of the amendments recommended by the House Committee on Elections as reported in the Journal of the House on February 19, 2015, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Elections** recommends **HB 2215**, be amended on page 6, following line 37, by inserting:

"New Sec. 4. (a) When transferring residual funds raised during the current election cycle to a bona fide successor committee or candidacy as defined in K.S.A. 25-4157a(d), and amendments thereto, the candidate may only transfer residual funds for the office sought subject to the contribution limits as set forth in K.S.A. 25-4153, and amendments thereto. Any moneys in excess of such limitations shall be returned as a refund to any contributor or contributors from whom such moneys were received.

(b) This section shall be part of and supplemental to the campaign finance act.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2398** be amended on page 1, by striking lines 5 through 25;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, before "concerning" by inserting "repealing K.S.A. 2014 Supp. 25-4501;"; also in lines 1, by striking all after "primary"; in line 2, by striking all before the period; and the bill be passed as amended.

Committee on **Elections** recommends **SB 77** be amended on page 4, in line 12, by striking "\$275" and inserting "\$300"; and the bill be passed as amended.

Committee on **Elections** recommends **Substitute for SB 171** be amended on page 1, in line 24, by striking "2017" and inserting "2016"; in line 26, by striking "2017" and inserting "2016"; in line 27, by striking "odd-numbered" and inserting "even-numbered"; in line 30, by striking "2017" and inserting "2016"; also in line 30, by striking "odd-numbered" and inserting "even-numbered"; in line 32, by striking "2017" and inserting "2016"; in line 33, by striking "2018" and inserting "2017";

On page 2, in line 2, by striking "2019" and inserting "2017"; in line 3, by striking "2020" and inserting "2018"; in line 22, by striking all after the second comma; in line 23, by striking all before "school" and inserting "and"; also in line 23, by striking all after "district"; by striking all in lines 24 through 31; in line 32, by striking all before the period; following line 35, by inserting:

"New Sec. 2. (a) On and after January 1, 2016, all primary elections for members of the governing body and other elected officials of any special district shall be held on the first Tuesday in August of 2017 and on such date thereafter of odd-numbered years and all general elections for members of the governing body and other elected officials of any special district shall be held on the Tuesday succeeding the first Monday in November of 2017 of odd-numbered years and on such date thereafter.

(b) The term of members of governing bodies and other elected officials of special districts that would expire at any time in 2017 shall expire on the second Monday in January of 2018, when newly elected members of the governing body and other newly elected officials shall take office. The governing body of the special district shall establish by resolution terms of office of elected officials to comply with this act.

(c) Primary elections for any special district, if otherwise required by law, shall be conducted on the first Tuesday in August in odd-numbered years.

(d) The county election officers, with the assistance of the secretary of state, shall conduct special district primary and general elections in odd-numbered years.

(e) Any person who meets the qualifications for the office sought may become a candidate for the special district office by filing a declaration of intent to become a candidate with the county election officer accompanied by a filing fee of \$20.

(f) All elections for officers of special districts shall be on a non-partisan basis.

(g) The filing deadline for all candidates for any special district unless otherwise provided by law shall be as provided in K.S.A. 25-205, and amendments thereto.

(h) "Special district" means: (1) Any board of public utilities created under K.S.A. 13-1220 et seq., and amendments thereto, community college, drainage district, extension district created under K.S.A. 2-623 et seq., and amendments thereto, irrigation district, improvement district created under K.S.A. 19-2753 et seq., and amendments thereto, water district created under K.S.A. 19-3501 et seq., and amendments thereto, and hospital district created under K.S.A. 80-2501 et seq., and

amendments thereto.

(2) The term does not include any special district where the election of members of the governing body is conducted at a meeting of the special district.";

Also on page 2, in line 36, before "All" by inserting "(a) A city shall continue to operate under its current form of government whether established at an election, or by adoption of a charter ordinance or ordinance until such time that the city's form of government is changed as provided by law.

(b)";

Also on page 2, in line 40, after "(b)" by inserting "and section 5, and amendments thereto";

On page 3, in line 16, after "two" by inserting ", three"; following line 21, by inserting:

"New Sec. 5. (a) Any city may adopt the commission-manager, mayor-council manager or council manager form of government in the manner herein provided and shall thereafter be governed by the provisions of this act. A proposition to adopt such form of government must first be submitted to a vote of the qualified electors of the city at any primary or general election. The governing body of the city may submit the proposition by resolution and must submit it upon the filing of a petition signed by at least 10% of the qualified electors of the city. The petition shall be headed "Petition for an election of the city of \_\_\_\_\_, Kansas, to vote on the adoption of the \_\_\_\_\_ (commission-manager, mayor-council manager or council manager) form of government," and shall be addressed to the governing body of the city, and be filed with the election officer of the county in which the city is located. The petition shall conform to the requirements of article 36 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, and its sufficiency shall be determined in the manner therein provided and shall be certified to the city clerk by the county election officer.

(b) The resolution or the petition shall establish the membership and terms of office of the governing body. Upon the adoption of a resolution or the certification of a petition as provided in this section, the governing body of the city shall submit the proposition at the next primary or general election. Notice thereof shall be published in the manner provided by K.S.A. 25-105, and amendments thereto.

(c) The form of the ballots to be used at the election shall be as follows:

"Shall the city of \_\_\_\_\_ adopt the \_\_\_\_\_ (commission-manager, mayor-council manager or council manager) form of government and become a city operating under such form of government?"

Yes  No

If a majority of the votes cast shall be in favor of adopting the commission-manager, mayor-council manager or council manager plan of government, then at the next regular city election the governing body of the city shall be elected as provided in the resolution or petition.

New Sec. 6. (a) The governing body shall establish by ordinance the qualifications, oath and powers and duties and terms of office of the governing body.

(b) Any action taken by the city governing body shall be by a majority vote of the members unless a greater number of votes are specifically required by another provision of law.

(c) The city governing body shall appoint a city manager to be responsible for the

administration and affairs of the city. The city manager shall see that all laws and ordinances are enforced. The city manager shall serve at the pleasure of the governing body.

(d) The city manager shall appoint and remove all heads of departments and all subordinate officers and employees of the city. All appointments shall be made upon merit and fitness alone.

New Sec. 7. Any city operating under the provisions of this act may abandon the commission-manager, mayor-council manager or council manager form of city government in the same manner as is provided in section 5, and amendments thereto, for the adoption of such form of city government except as herein otherwise provided, and except that the word "abandonment" instead of the word "adoption" shall be used in the petition therefor, and the word "abandon" instead of the word "adopt" shall be used in the form of the ballot and in the election proclamation. If a majority of votes cast upon the proposition shall be in favor of abandoning the commission-manager, mayor-council manager or council manager form of city government, then the city shall operate under the alternative form of government established in the resolution or petition.";

On page 4, in line 3, after the second "the" by inserting "style and form of the"; in line 4, after "ballot" by inserting "and the official general election ballot"; also in line 4, after "offices" by inserting "and special district offices"; in line 8, after "in" by inserting "both even-numbered and"; in line 18, after "municipalities" by inserting "and special districts"; in line 19, after "(e)" by inserting "The secretary of state shall establish general election procedures for general elections for municipalities and special districts.

(f) County election officers shall conduct municipal elections in even-numbered years and elections in odd-numbered years.

(g)";

Also on page 4, in line 21, by striking "7" and inserting "11";

On page 8, in line 8, by striking "6" and inserting "10"; following line 31, by inserting:

"Sec. 14. K.S.A. 13-1220 is hereby amended to read as follows: 13-1220. ~~In each city of the first class that now has or hereafter acquires a population of more than one hundred thousand inhabitants, which now or hereafter owns and operates a municipal waterworks plant and a municipal electric light plant, there shall be~~ Any city may establish an administrative agency known as the board of public utilities of such city, to be elected in the manner hereinafter provided. The board shall manage, operate, maintain and control the daily operation of the water plant and electric-light plant of such city, and shall make all such rules and regulations as are necessary for the safe, economical and efficient operation and management of such water plants and electric-light plants. The board may also improve, extend or enlarge the water plants and electric-light plants as hereinafter provided, and furnish a supply of water, light, heat and power for domestic, industrial and municipal purposes.";

On page 11, following line 24 by inserting "(a) The water district election shall be held in each election precinct, a part or all of which is located within such water district, except that if no other election is being held in a given election precinct on the same date as the water district election, the county election officer may provide one or more convenient voting places where the water district electors of such precinct may vote, which may be a voting place located in another precinct. The county election officer



shall designate such voting places and the persons entitled to vote thereat in the election notice. The county election officer shall make a report in writing to the board of county commissioners of such election precincts and voting places, which report shall be filed with the county clerk of the county or counties in which such precincts and voting places are located and an entry thereof made upon the journal of the board or boards of county commissioners of such county or counties and if any change shall be made in such voting precincts and voting places by the county election officer, the same shall in like manner be reported to the board or boards of county commissioners, filed and entered. The polls for any election held under this act shall be open between the hours of 7 a.m. and 7 p.m.";

Also on page 11, in line 25, by striking "(a)" and inserting "(b)"; in line 30, by striking "6" and inserting "10";

On page 12, following line 21, by inserting:

"(c) Where the only election being conducted in an election precinct or voting place is the water district election, the cost of providing judges and clerks in such precinct or voting place shall be borne entirely by the water district, but where held in conjunction with other elections, the cost shall be prorated in the manner provided by article 22 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

(d) At least five days before any election, the county election officers of the various counties within which a portion of such district is located, in cooperation with the water district board, shall determine the voting areas where no other elections will be held in conjunction with the water district and the names of all qualified electors residing in the water district and located in such precincts and shall determine the election precincts which contain only a part of the water district and the names of all qualified electors residing in the water district and in such election precincts. A list of the qualified electors determined shall be furnished by the county election officer to the judges of the voting precincts or voting places where such electors are entitled to vote.";

Also on page 12, in line 22, by striking "(b)" and inserting "(e)"; in line 23, by striking "(c)" and inserting "(f)"; also in line 23, by striking "part or all" and inserting "the entirety"; in line 25, before the period by inserting "and a separate list of their names need not be furnished"; following line 39, by inserting:

"(g) A voter shall not be eligible to vote in any election precinct other than the one in which such person resides unless no election is being held in such precinct, in which event, such voter shall be entitled to vote in the voting place designated by the county election officer.

(h) Such list furnished by the county election officer to the judges of each precinct shall be conclusive at all elections, except that one desirous of voting, whose name does not appear on such list, may proceed to the county election officer of the county and such officer may administer oaths and affirm witnesses to determine the right of anyone to vote who may claim erroneous omission from such list, and if such officer issues a certificate entitling the voter to vote, such certificate shall be accepted by the judges and clerks of the election. The list so furnished by the county election officer shall be conclusive at all elections held within the same year that the list is furnished.";

On page 13, in line 19, by striking "6" and inserting "10";

On page 16, by striking all in lines 1 through 12; in line 15, after "for" by inserting "municipal,";

On page 19, in line 5, by striking "odd-numbered"; in line 6, by striking all before



"qualified" and inserting "even-numbered year elections and in odd-numbered years when needed. Persons shall become"; in line 17, by striking "6" and inserting "10, and amendments thereto"; following line 17, by inserting:

"(j) Primary elections for candidates for special district elections shall be held when required by law. Persons shall become qualified to become a candidate in the same manner as provided in subsection (i).";

Also on page 19, in line 39, after "state" by inserting "and county election officers"; in line 40, after "municipal" by inserting "and special district"; in line 41, before "odd-numbered" by inserting "both even-numbered and"; following line 41, by inserting:

"(d) The secretary of state shall utilize the procedures established in this section to the extent applicable for special district elections conducted in the fall of odd-numbered years.";

On page 20, in line 7, by striking "municipal" and inserting "special district"; in line 8, by striking the first comma and inserting "and"; also in line 8, by striking all after "printed"; also in line 9, by striking all before the period and inserting "by the county election officer";

On page 21, in line 9, after "regulations" by inserting "adopted on or before July 1, 2016,"; in line 10, after "names" by inserting "as provided by law"; in line 13, after "all" by inserting "municipal,"; also in line 13, after "the" by inserting "municipal,"; in line 19, after "(b)" by inserting "Except as provided in subsection (e),";

On page 23, in line 7, after "(e)" by inserting "The secretary of state by rules and regulations adopted on or before July 1, 2016, shall develop the official primary election ballot to place all municipal primary elections at the top of the ballot.

(f)";

Also on page 23, in line 8, by striking "municipal" and inserting "special district"; in line 42, after "(b)" by inserting "The secretary of state by rules and regulations adopted on or before July 1, 2016, shall develop the official general election ballot to place all municipal elections at the top of the ballot.

(c)";

On page 24, in line 1, by striking "municipalities" and inserting "special districts"; also in line 1, after "regulations" by inserting "adopted on or before July 1, 2016"; in line 4, after the first "for" by inserting "municipal,"; in line 5, after the second "the" by inserting "municipal offices followed by the"; in line 19, after "(c)" by inserting "The secretary of state by rules and regulations adopted on or before July 1, 2016, shall develop the order of arrangement of municipal offices on the general election ballot.

(d)";

Also on page 24, in line 20, by striking "municipalities" and inserting "special districts and cities, if needed,"; in line 21, after "regulations" by inserting "adopted on or before July 1, 2016";

On page 25, in line 18, after "general" by inserting "election"; also in line 18, after "ballot" by inserting "style"; in line 19, after "regulations" by inserting "adopted on or before July 1, 2016"; following line 19, by inserting:

"(c) The official general election ballot style for special districts shall be established by rules and regulations adopted on or before July 1, 2016.";

On page 29, in line 27, by striking "odd-numbered" and inserting "even-numbered"; in line 31, by striking "following the first Monday"; in line 32, by striking "odd-numbered" and inserting "even-numbered";

On page 30, in line 19, by striking "odd-"; in line 20, by striking "numbered" and inserting "even-numbered"; in line 22, by striking "odd-numbered" and inserting "even-numbered"; following line 30, by inserting:

"Sec. 39. K.S.A. 25-2017a is hereby amended to read as follows: 25-2017a. The clerk of the board of education of every school district shall certify to the county election officer of the home county of the school district a list of all school offices to be voted upon at each school election, any boundary changes of member districts since the last preceding election and the voting plan to be used as defined in K.S.A. 25-2005, and amendments thereto, not later than ~~January~~ May 1 of each ~~odd-numbered even-numbered~~ year. A copy of the above information shall be furnished to the county election officer of every county in which a part of the territory of the school district is located.";

Also on page 30, in line 34, by striking all after "(b)"; in line 35, by striking all before "the" and inserting "On or before June 10 of even-numbered years,";

On page 31, in line 4, by striking all after "(d)"; by striking all in line 5; in line 6, by striking "thereto," and inserting "On or before June 10 of each even-numbered year,"; in line 15, by striking all after "(e)"; by striking all in line 16; in line 17, by striking "thereto," and inserting "On or before September 1 of each even-numbered year,";

On page 34, by striking all in lines 1 through 3; in line 4, by striking all before the period; in line 23, after "each" by inserting "even-numbered and"; in line 24, after "year" by inserting ", if needed,"; in line 30, after "each" by inserting "even-numbered and"; in line 31, after "year" by inserting ", if needed";

On page 37, in line 4, before "as" by inserting "in the various possible orders in rotation and"; following line 5, by inserting:

"Sec. 51. K.S.A. 25-2118 is hereby amended to read as follows: 25-2118. The city clerk shall certify to the county election officer a list of all city offices to be voted upon at each city election not later than ~~January~~ May 1 of every year that such city has a city election.";

On page 40, by striking all in lines 34 through 43;

On page 41, by striking all in lines 1 through 25;

On page 44, in line 36, by striking "6" and inserting "10";

On page 48, in line 19, by striking "6" and inserting "10"; in line 39, by striking "even-numbered" and inserting "odd-numbered"; in line 40, by striking "odd-numbered" and inserting "even-numbered";

On page 49, in line 18, by striking "odd-numbered" and inserting "even-numbered";

On page 51, by striking all in lines 9 through 43;

By striking all on pages 52 through 60;

On page 61, by striking all in lines 1 through 36;

On page 63, in line 14, by striking "1" and inserting "66";

On page 64, in line 4, by striking "1" and inserting "66"; in line 5, by striking "10-120, 12-138,"; also in line 5, by striking "12-6a15,"; in line 13, after "12-1038," by inserting "13-1220,"; also in line 13, by striking "19-117,"; in line 15, after "25-2017," by inserting "25-2017a,"; in line 16, after "25-2115," by inserting "25-2118,"; in line 17, by striking "68-438"; in line 19, by striking ", 12-1737, 19-15,116,"; in line 21, by striking ", 25-3801"; also in line 21, by striking the fourth comma and inserting "and"; also in line 21, by striking "and 72-6433";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "10-120,"; in line 3, by striking "12-138,"; also in line 3, by striking ", 12-6a15"; also in line 3, before "13-1221," by inserting "13-1220,"; also in line 3, by striking "19-117,"; in line 4, by striking "25-204,"; in line 5, after "25-2017," by inserting "25-2017a,"; in line 6, after "25-2115," by inserting "25-2118,"; in line 7, by striking "68-438,"; in line 9, by striking "12-1737, 19-15,116,"; in line 11, by striking ", 25-3801"; also in line 11, by striking the third comma and inserting "and"; also in line 11, by striking "and 72-6433"; and the bill be passed as amended.

Committee on **Energy and Environment** recommends **HB 2233** be amended by adoption of the amendments recommended by the House Committee on Energy and Environment as reported in the Journal of the House of Representatives on February 25, 2015, and the bill, as printed with amendments by House Committee, be further amended:

On page 4, in line 16, by striking "shall" and inserting "may"; also in line 16, by striking "upon submission of the state plan" and inserting "of the time limit for submitting a state plan, as necessary"; in line 24, after "secretary" by inserting "and the state corporation commission"; also in line 24, by striking all after "submit"; by striking all in lines 25 through 41; also in line 42, by striking "submitted" and inserting "to the senate committee on utilities and the house committee on energy and environment:

(1) A plan to investigate, review and develop a state plan no later than November 1, 2015; and

(2) information on any final rule adopted by the environmental protection agency under docket EPA-HQ-OAR-2013-0602 no later than February 1, 2016.

(g) The secretary shall present any proposed interim or final state plan proposed for submission to the environmental protection agency to a joint meeting of the senate committee on utilities and the house committee on energy and environment, or an alternate joint committee designated by the legislative coordinating council if the legislature is not in session, for review and input prior to submission of such a plan to the environmental protection agency or any other federal agency. This meeting shall take place at least 45 days prior to the planned submission and the committee shall provide comments to the secretary within 15 days after the meeting. In the event a final rule is not issued by the environmental protection agency pursuant to docket EPA-HQ-OAR-2013-0602, or the issuance of a final rule is delayed, the secretary shall notify the appropriate chairs of the legislative committees";

Also on page 4, in line 43, by striking "approval" and inserting "review";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HCR 5010** be adopted.

Committee on **Health and Human Services** recommends **SB 142** be passed.

Committee on **Insurance** recommends **SB 54** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 54," as follows:

"House Substitute for SENATE BILL NO. 54

By Committee on Insurance

"AN ACT concerning the Kansas highway patrol; relating to state employee health plan continuation; pertaining to certain retirees; duties of superintendent of the Kansas highway patrol and the secretary of health and environment; amending K.S.A. 75-6511 and repealing the existing section."; and the substitute bill be passed.

(H Sub for SB 54 was thereupon introduced and read by title.)

Committee on **Insurance** recommends **SB 101** be amended on page 5, following line 3, by inserting:

"(y) "Health care facility" means a nursing facility, an assisted living facility or a residential health care facility as all such terms are defined in K.S.A. 39-923, and amendments thereto.

Sec. 2. K.S.A. 2014 Supp. 40-3414 is hereby amended to read as follows: 40-3414.

(a) Any health care provider, or any health care system organized and existing under the laws of this state which owns and operates ~~two or more~~ than one medical care ~~facilities~~ facility or more than one health care facility, as defined in K.S.A. 40-3401, and amendments thereto, licensed by the state of Kansas, whose aggregate annual insurance premium is or would be \$100,000 or more for basic coverage calculated in accordance with rating procedures approved by the commissioner pursuant to K.S.A. 40-3413, and amendments thereto, may qualify as a self-insurer by obtaining a certificate of self-insurance from the board of governors. Upon application of any such health care provider or health care system, on a form prescribed by the board of governors, the board of governors may issue a certificate of self-insurance if the board of governors is satisfied that the applicant is possessed and will continue to be possessed of ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a health care provider obtained against such applicant arising from the applicant's rendering of professional services as a health care provider. In making such determination the board of governors shall consider: (1) The financial condition of the applicant; (2) the procedures adopted and followed by the applicant to process and handle claims and potential claims; (3) the amount and liquidity of assets reserved for the settlement of claims or potential claims; and (4) any other relevant factors. The certificate of self-insurance may contain reasonable conditions prescribed by the board of governors. Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel a certificate of self-insurance upon reasonable grounds therefor. Failure to pay any judgment for which the self-insurer is liable arising from the self-insurer's rendering of professional services as a health care provider, the failure to comply with any provision of this act or the failure to comply with any conditions contained in the certificate of self-insurance shall be reasonable grounds for the cancellation of such certificate of self-insurance. The provisions of this subsection shall not apply to the Kansas soldiers' home, the Kansas veterans' home or to any person who is a self-insurer pursuant to subsection (d) or (e).

(b) Any such health care provider or health care system that holds a certificate of self-insurance shall pay the applicable surcharge set forth in ~~subsection (e) of~~ K.S.A. 40-3402(c), and amendments thereto.

(c) The Kansas soldiers' home and the Kansas veterans' home shall be self-insurers and shall pay the applicable surcharge set forth in ~~subsection (e) of~~ K.S.A. 40-3402(c), and amendments thereto.

(d) Persons engaged in residency training as provided in ~~subsections (r)(1) and (2) of~~ K.S.A. 40-3401(r)(1) and (2), and amendments thereto, shall be self-insured by the state of Kansas for occurrences arising during such training, and such person shall be deemed a self-insurer for the purposes of the health care provider insurance availability act. Such self-insurance shall be applicable to a person engaged in residency training only when such person is engaged in medical activities which do not include

extracurricular, extra-institutional medical service for which such person receives extra compensation and which have not been approved as provided in ~~subsections (r)(1) and (2)~~ of K.S.A. 40-3401 (r)(1) and (2), and amendments thereto.

(e) (1) A person engaged in a postgraduate training program approved by the state board of healing arts at a medical care facility or mental health center in this state may be self-insured by such medical care facility or mental health center in accordance with this subsection (e) and in accordance with such terms and conditions of eligibility therefor as may be specified by the medical care facility or mental health center and approved by the board of governors. A person self-insured under this subsection (e) by a medical care facility or mental health center shall be deemed a self-insurer for purposes of the health care provider insurance availability act. Upon application by a medical care facility or mental health center, on a form prescribed by the board of governors, the board of governors may authorize such medical care facility or mental health center to self-insure persons engaged in postgraduate training programs approved by the state board of healing arts at such medical care facility or mental health center if the board of governors is satisfied that the medical care facility or mental health center is possessed and will continue to be possessed of ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a health care provider obtained against a person engaged in such a postgraduate training program and arising from such person's rendering of or failure to render professional services as a health care provider.

(2) In making such determination the board of governors shall consider: (A) The financial condition of the medical care facility or mental health center; (B) the procedures adopted by the medical care facility or mental health center to process and handle claims and potential claims; (C) the amount and liquidity of assets reserved for the settlement of claims or potential claims by the medical care facility or mental health center; and (D) any other factors the board of governors deems relevant. The board of governors may specify such conditions for the approval of an application as the board of governors deems necessary. Upon approval of an application, the board of governors shall issue a certificate of self-insurance to each person engaged in such postgraduate training program at the medical care facility or mental health center who is self-insured by such medical care facility or mental health center.

(3) Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel, upon reasonable grounds therefor, a certificate of self-insurance issued pursuant to this subsection (e) or the authority of a medical care facility or mental health center to self-insure persons engaged in such postgraduate training programs at the medical care facility or mental health center. Failure of a person engaged in such postgraduate training program to comply with the terms and conditions of eligibility to be self-insured by the medical care facility or mental health center, the failure of a medical care facility or mental health center to pay any judgment for which such medical care facility or mental health center is liable as self-insurer of such person, the failure to comply with any provisions of the health care provider insurance availability act or the failure to comply with any conditions for approval of the application or any conditions contained in the certificate of self-insurance shall be reasonable grounds for cancellation of such certificate of self-insurance or the authority of a medical care facility or mental health center to self-insure such persons.

(4) A medical care facility or mental health center authorized to self-insure persons

engaged in such postgraduate training programs shall pay the applicable surcharge set forth in ~~subsection (e) of~~ K.S.A. 40-3402(c), and amendments thereto, on behalf of such persons.

(5) As used in this subsection (e), "medical care facility" does not include the university of Kansas medical center or those community hospitals or medical care facilities described in ~~subsection (r)(2) of~~ K.S.A. 40-3401(r)(2), and amendments thereto.

(f) For the purposes of subsection (a), "health care provider" may include each health care provider in any group of health care providers who practice as a group to provide physician services only for a health maintenance organization, any professional corporations, partnerships or not-for-profit corporations formed by such group and the health maintenance organization itself. The premiums for each such provider, health maintenance organization and group corporation or partnership may be aggregated for the purpose of being eligible for and subject to the statutory requirements for self-insurance as set forth in this section.

(g) The provisions of subsections (a) and (f), relating to health care systems, shall not affect the responsibility of individual health care providers as defined in ~~subsection (f) of~~ K.S.A. 40-3401(f), and amendments thereto, or organizations whose premiums are aggregated for purposes of being eligible for self-insurance from individually meeting the requirements imposed by K.S.A. 40-3402, and amendments thereto, with respect to the ability to respond to injury or damages to the extent specified therein and K.S.A. 40-3404, and amendments thereto, with respect to the payment of the health care stabilization fund surcharge.

(h) Each private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed a self-insurer for the purposes of the health care provider insurance availability act. The private practice corporation or foundation of which the full-time physician faculty is a member and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall pay the applicable surcharge set forth in ~~subsection (a) of~~ K.S.A. 40-3404(a), and amendments thereto, on behalf of the private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center or on behalf of a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine.

(i) (1) Subject to the provisions of paragraph (4), for the purposes of the health care provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a health care provider as defined in K.S.A. 40-3401, and amendments thereto, from and after July 1, 1997.

(2) Subject to the provisions of paragraph (4), for the purposes of the health care provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care

facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a self-insurer within the meaning of subsection (h) ~~of this section~~, and amendments thereto, from and after July 1, 1997.

(3) Subject to the provisions of paragraph (4), for the purposes of the health care provider insurance availability act, the election of fund coverage limits for each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been effective at the highest option, as provided in ~~subsection (l) of~~ K.S.A. 40-3403(l), and amendments thereto, from and after July 1, 1997.

(4) No nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be required to pay to the fund any annual premium surcharge for any period prior to the effective date of this act. Any annual premium surcharge for the period commencing on the effective date of this act and ending on June 30, 2001, shall be prorated.";

Also on page 5, in line 4, by striking "is" and inserting "and 40-3414 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "self-insurance; health care systems;"; in line 3, after "3401" by inserting "and 40-3414"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 214** be passed.

Committee on **Judiciary** recommends **SB 184** be amended on page 2, following line 17, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 75-719 is hereby amended to read as follows: 75-719.

(a) ~~The attorney general~~ judicial administrator is authorized to enter into contracts in accordance with this section for collection services for debts owed to courts or restitution owed under an order of restitution. On and after July 1, 1999, the cost of collection shall be paid by the defendant as an additional court cost in all criminal, traffic and juvenile offender cases where the defendant fails to pay any amount ordered by the court and the court utilizes the services of a contracting agent pursuant to this section. The cost of collection shall be deemed an administrative fee to pay the actual costs of collection made necessary by the defendant's failure to pay court debt and restitution.

(b) As used in this section:

(1) "Beneficiary under an order of restitution" means the victim or victims of a crime to whom a district court has ordered restitution be paid;

(2) "contracting agent" means a person, firm, agency or other entity who contracts hereunder to provide collection services;

(3) "cost of collection" means the fee specified in contracts hereunder to be paid to or retained by a contracting agent for collection services. Cost of collection also includes any filing fee required under K.S.A. 60-4303, and amendments thereto, or administrative costs prescribed by ~~the attorney general pursuant to rules and regulations~~ rules of the supreme court; and

(4) "debts owed to courts" means any assessment of court costs, fines, fees, moneys expended by the state in providing counsel and other defense services to indigent



defendants or other charges which a district court judgment has ordered to be paid to the court, and which remain unpaid in whole or in part, and includes any interest or penalties on such unpaid amounts as provided for in the judgment or by law. "Debts owed to courts" also includes: (A) The cost of collection when collection services of a contracting agent hereunder are utilized; and (B) court costs, fines, fees or other charges arising from failure to comply with a traffic citation within 30 days from the date of the mailing of the notice pursuant to K.S.A. 8-2110(b)(1), and amendments thereto.

(c) (1) Contracts authorized by this section may be entered into with state or federal agencies or political subdivisions of the state of Kansas, including contracts for participation in the collection program authorized by K.S.A. 75-6201 et seq., and amendments thereto. Such contracts also may be entered into with private firms or individuals selected by a procurement negotiation committee in accordance with K.S.A. 75-37,102, and amendments thereto, except that the ~~attorney general~~ judicial administrator shall designate a representative to serve as the chief administrative officer member of such committee and that the other two members of such committee shall be designated by the director of purchases and the judicial administrator.

(2) Prior to negotiating any contract for collection services, this procurement negotiation committee shall advertise for proposals, negotiate with firms and individuals submitting proposals and select among those submitting such proposals the party or parties to contract with for the purpose of collection services.

(3) The ~~attorney general~~ supreme court may adopt rules ~~and regulations~~ as deemed appropriate for the administration of this section, including procedures to be used in the negotiation and execution of contracts pursuant to this section and procedures to be followed by those who utilize collection services under such contracts.

(4) For purposes of this section, the agencies, firms or individuals with whom contracts are entered under this section shall be known as contracting agents. The ~~attorney general~~ judicial administrator shall publish a list of the contracting agents for use by courts or beneficiaries under orders of restitution who desire to utilize the collection services of such agents.

(5) Each contract entered pursuant to this section shall provide for a fee to be paid to or retained by the contracting agent for collection services. Such fee shall be designated as the cost of collection hereunder, and shall not exceed 33% of the amount collected. The cost of collection shall be paid from the amount collected, but shall not be deducted from the debts owed to courts or restitution. If a contracting agent uses the debt setoff procedures pursuant to K.S.A. 75-6202 et seq., and amendments thereto, to recover debts owed to the courts, the contracting agent's cost of collection for debt recovered through that program shall be the amount established by contract minus the collection assistance fee imposed by the director of accounts and reports of the department of administration pursuant to K.S.A. 75-6210, and amendments thereto.

(d) Judicial districts of the state of Kansas are authorized to utilize the collection services of contracting agents pursuant to this section for the purpose of collecting all outstanding debts owed to courts. Subject to rules and orders of the Kansas supreme court, each judicial district may establish by local rule guidelines for the compromise of court costs, fines, attorney fees and other charges assessed in district court cases.

(e) Any beneficiary under an order of restitution entered by a court after this section takes effect is authorized to utilize the collection services of contracting agents pursuant to this section for the purpose of collecting all outstanding amounts owed



under such order of restitution.

(f) Contracts entered hereunder shall provide for the payment of any amounts collected to the clerk of the district court for the court in which the debt being collected originated, after first deducting the collection fee. In accounting for amounts collected from any person pursuant to this section, the district court clerk shall credit the person's amount owed in the amount of the net proceeds collected and shall not reduce the amount owed by any person by that portion of any payment which constitutes the cost of collection pursuant to this section.

(g) With the appropriate cost of collection paid to the contracting agent as agreed upon in the contract hereunder, the clerk shall then distribute amounts collected hereunder as follows:

(1) When collection services are utilized pursuant to subsection (d), all amounts shall be applied against the debts owed to the court as specified in the original judgment creating the debt;

(2) when collection services are utilized pursuant to subsection (e), all amounts shall be paid to the beneficiary under the order of restitution designated to receive such restitution, except where that beneficiary has received recovery from the Kansas crime victims compensation board and such board has subrogation rights pursuant to K.S.A. 74-7312, and amendments thereto, in which case all amounts shall be paid to the board until its subrogation lien is satisfied.

(h) Whenever collection services are being utilized against the same debtor pursuant to both subsections (d) and (e), any amounts collected by a contracting agent shall be first applied to satisfy subsection (e) debts, debts pursuant to an order of restitution. Upon satisfaction of all such debts, amounts received from the same debtor shall then be applied to satisfy subsection (d) debts, debts owed to courts.

Sec. 3. K.S.A. 2014 Supp. 75-6202 is hereby amended to read as follows: 75-6202. As used in this act:

(a) "Debtor" means any person who:

(1) Owes a debt to the state of Kansas or any state agency or any municipality;

(2) owes support to an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2014 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended; or

(3) owes a debt to a foreign state agency.

(b) "Debt" means:

(1) Any liquidated sum due and owing to the state of Kansas, or any state agency, municipality or foreign state agency which has accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum. A debt shall not include special assessments except when the owner of the property assessed petitioned for the improvement and any successor in interest of such owner of property;~~or~~

(2) any amount of support due and owing an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2014 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, which amount shall be considered a debt due and owing the district court trustee or the Kansas department for children and families for the purposes of this act;or

(3) any assessment of court costs, fines, fees, moneys expended by the state in providing counsel and other defense services to indigent defendants or other charges which a district court judgment has ordered to be paid to the court and which remain unpaid in whole or in part, and includes any interest or penalties on such unpaid amounts as provided for in the judgment or by law. Such amount also includes the cost of collection when the collection services of a contracting agent are utilized.

(c) "Refund" means any amount of ~~Kansas~~ income tax refund due to any person as a result of an overpayment of tax, and for this purpose, a refund due to a husband and wife resulting from a joint return shall be considered to be separately owned by each individual in the proportion of each such spouse's contribution to income, as the term "contribution to income" is defined by rules and regulations of the secretary of revenue.

(d) "Net proceeds collected" means gross proceeds collected through final setoff against a debtor's earnings, refund or other payment due from the state or any state agency minus any collection assistance fee charged by the director of accounts and reports of the department of administration.

(e) "State agency" means any state office, officer, department, board, commission, institution, bureau, agency or authority or any division or unit thereof and any judicial district of this state or the clerk or clerks thereof. "State agency" also shall include any: (1) District court utilizing collection services pursuant to K.S.A. 75-719, and amendments thereto, to collect debts owed to such court; and (2) contracting agent, as defined in K.S.A. 75-719, and amendments thereto, with which a district court contracts to collect debts owed to such court. Such contracting agent may directly establish a debt setoff account with the director for the sole purpose of collecting debts owed to courts.

(f) "Person" means an individual, proprietorship, partnership, limited partnership, association, trust, estate, business trust, corporation, other entity or a governmental agency, unit or subdivision.

(g) "Director" means the director of accounts and reports of the department of administration.

(h) "Municipality" means any municipality as defined by K.S.A. 75-1117, and amendments thereto.

(i) "Payor agency" means any state agency which holds money for, or owes money to, a debtor.

(j) "Foreign state or foreign state agency" means the states of Colorado, Missouri, Nebraska or Oklahoma or any agency of such states which has entered into a reciprocal agreement pursuant to K.S.A. 75-6215, and amendments thereto.

Sec. 4. K.S.A. 2014 Supp. 75-6204 is hereby amended to read as follows: 75-6204.

(a) Subject to the limitations provided in this act, if a debtor fails to pay to the state of Kansas or any state agency, foreign state agency, municipality or the federal department of the treasury an amount owed, the director may setoff such amount and a reasonable collection assistance fee determined in accordance with K.S.A. 75-6210, and amendments thereto, against any money held for, or any money owed to, such debtor by the state or any state agency.

(b) The director may enter into an agreement with a municipality for participation in the setoff program for the purpose of assisting in the collection of a debt as defined by K.S.A. 75-6202, and amendments thereto. The director shall include in any such agreement a provision requiring the municipality to certify that the municipality has made at least three attempts to collect a debt prior to submitting such debt to setoff

pursuant to this act.

(c) (1) Except as provided in subsection (c)(2), the director shall add the cost of collection and the debt for a total amount subject to setoff against a debtor.

(2) Any debts due and owing to an individual, the state of Kansas or an agency of another state that are being enforced by the Kansas department for children and families under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, shall not have the cost of collection added to the debt owed and subject to setoff. Such cost of collection shall be paid by the Kansas department for children and families.

Sec. 5. K.S.A. 75-6209 is hereby amended to read as follows: 75-6209. (a) In accordance with the applicable times under K.S.A. 75-6208 and amendments thereto, the director shall complete the setoff by adding and retaining the collection assistance fee permitted by K.S.A. 75-6210, and amendments thereto, and transferring the net proceeds collected for credit or payment and by refunding any outstanding balance to the debtor.

(b) Upon completing the setoff, the director shall notify the debtor in writing of the action taken along with an accounting of the action taken. If there is an outstanding balance after setoff, the notice under this section shall accompany the balance when refunded.

(c) When a setoff is completed against earnings of an employee for any pay period and the setoff does not fully liquidate the debt due, further setoff in subsequent pay periods may be made without further certifications or notice to the debtor, except that the director shall notify the debtor in writing of the action taken and give an accounting thereof. The debtor may request an opportunity for hearing in regard to any further setoff in subsequent pay periods by making a written request therefor to the director. Any such request shall not stay future setoffs, but such hearing shall be held within a reasonable time, not to exceed 15 days after the request, unless a longer time has been agreed to by the debtor. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Orders resulting from hearings under this subsection shall not be subject to administrative review.

Sec. 6. K.S.A. 2014 Supp. 75-6210 is hereby amended to read as follows: 75-6210. (a) Upon completion of a setoff transaction, the director shall transfer the net proceeds collected to the account or fund of the state agency, foreign state agency or municipality to which the debt was owed.

(b) (1) From the gross proceeds collected by the director through setoff, the director shall retain a reasonable collection assistance fee in an amount based on cost, as determined by generally accepted cost allocation techniques, except that in the case of transactions for collection of debts arising from the employment security law such fee shall not exceed \$300 for any transaction. Except as provided further, the director shall add the collection assistance fee to the debt after the debt is submitted to the director in accordance with K.S.A. 75-6206, and amendments thereto. Any debts due and owing to an individual, the state of Kansas or an agency of another state that are being enforced by the Kansas department for children and families under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, shall not have the collection assistance fee added to the debt owed and subject to setoff, and such fee shall be paid by the Kansas department for children and families.

(2) The director shall retain a reasonable collection assistance fee from the gross proceeds of collections through setoff on behalf of a municipality as specified in an agreement entered into pursuant to K.S.A. 75-6204, and amendments thereto, or foreign state agency in such amount as specified in the reciprocal agreement entered into pursuant to K.S.A. 75-6215, and amendments thereto.

(3) The collection assistance fee shall be paid as an additional cost for all debts owed to the court when the court utilizes debt setoff procedures pursuant to K.S.A. 75-6202 et seq., and amendments thereto. The collection assistance fee shall be retained from the amount collected, but shall not be deducted from the debts owed to the court.

(4) The director may credit a portion of the collection assistance fee to the appropriate account or fund of any other state agency that has incurred expenses in assisting in the collection of the debt.

(5) The amount of the collection assistance fee retained by the director shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the accounting services recovery fund.

(c) Upon receipt by the state agency, foreign state agency or municipality of the net proceeds collected, the state agency, foreign state agency or municipality shall credit the debtor's obligation in the amount of the gross proceeds collected.

(d) Except as otherwise prescribed by the director or the secretary of administration, any state agency, foreign state agency or municipality which receives any payment from a debtor after notification to the debtor under K.S.A. 75-6206, and amendments thereto, other than payments collected pursuant to K.S.A. 44-718, and amendments thereto, or collected through the federal government or judicial process, shall remit the collection assistance fee imposed under subsection (b) to the director which shall be credited to the accounting services recovery fund. If a state agency fails to remit the collection assistance fee as required by this subsection, the director may transfer an amount equal to such collection assistance fee from the appropriate account or fund of the state agency to the accounting services recovery fund. If a foreign state agency or municipality fails to remit the collection assistance fee as required by this subsection, the director may seek collection of such fee in such manner as may be allowed by law.

(e) In cases involving the collection of debts arising from the employment security law, the entire amount collected shall be credited to the employment security fund and the collection assistance fee shall be transferred from the special employment security fund to the accounting services recovery fund.";

Also on page 2, in line 18, before "K.S.A." by inserting "K.S.A. 75-6209 and"; also in line 18, by striking "is" and inserting ", 75-719, 75-6202, 75-6204 and 75-6210 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking "dormancy" and inserting "courts; relating to court costs, fees, fines and restitution; debts owed to courts"; also in line 2, after "amending" by inserting "K.S.A. 75-6209 and"; also in line 2, after "60-2403" by inserting ", 75-719, 75-6202, 75-6204 and 75-6210"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2416**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and the Kansas police and firemen's retirement system; calculation of member's benefits; limiting the accumulation of vacation leave for certain employees; amending K.S.A. 75-5517 and K.S.A. 2014 Supp. 74-4902 and 74-4952 and repealing the existing sections, by Committee on Appropriations.

#### **REPORT ON ENGROSSED BILLS**

**HB 2125, HB 2223, HB 2331** reported correctly engrossed March 18, 2015.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, March 20, 2015.

# Journal of the House

FORTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 20, 2015, 8:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 114 members present.

Rep. Huebert was excused on verified illness.

Rep. Victors was excused on legislative business.

Reps. Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan and Suellentrop were excused on excused absence by the Speaker.

Present later: Rep. Huebert.

Prayer by Chaplain Brubaker:

Almighty Lord and God,  
we thank You for this another great day  
to live and serve the people of Kansas.  
It's March Madness time again—  
both in basketball and in the legislature.  
I am sure some are thankful for the early start today  
for they might be able to watch their team play later.  
In basketball, for some of us,  
our brackets have already been blown.  
But we have hope that today both our Kansas teams  
will come through with victories.  
That is what really matters to us.  
In the legislature, for some, their bills have already been defeated,  
but in the work they have yet to do,  
there is hope they will come through for the people of Kansas.  
That is really what matters to us.  
In both arenas today, be with all players—  
give wisdom, strength to use the gifts and skills  
You have given to each one,  
and may everything be played and accomplished  
for Your honor and glory.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Boldra.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was referred to committee as indicated:

Commerce, Labor and Economic Development: **HB 2416**.

**CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **SB 117** from Committee on Taxation and rereferral to Committee on Insurance.

Also, the withdrawal of **SB 184** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2288** from Committee on Appropriations and rereferral to Committee on Pensions and Benefits.

Also, the withdrawal of **SB 12** from Committee on Corrections and Juvenile Justice and referral to Committee on Veterans, Military and Homeland Security.

**COMMUNICATIONS FROM STATE OFFICERS**

From David N. Harper, Director, Division of Property Valuation, pursuant to K.S.A. 75-3048, 2014 Statistical Report of Property Assessment and Taxation.

From David N. Harper, Director, Division of Property Valuation, pursuant to K.S.A. 79-1490, 2014 Preliminary Real Estate Appraisal/Sales Ratio Study.

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

**MESSAGES FROM THE SENATE**

The Senate concurs in House amendments to **H Sub for SB 7**.

Also, announcing passage of **SB 86, SB 161**.

Announcing passage of **HB 2023, HB 2066, HB 2085, HB 2267**.

Announcing passage of **HB 2006**, as amended; **HB 2010**, as amended; **HB 2025**, as amended; **HB 2044**, as amended; **HB 2090**, as amended by **Senate Substitute for HB 2090**; **HB 2231**, as amended; **HB 2364**, as amended.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 86, SB 161**.

**CONSENT CALENDAR**

No objection was made to **SB 43, SB 47** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 43**, AN ACT designating a portion of K-8 as the home on the range highway, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 7; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin,

Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Seiwert, Smith, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Esau, Grosseode, Hildabrand, McPherson, Scapa, Sutton, Todd.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Huebert, Hutton, Kelley, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**SB 47**, AN ACT concerning insurance; relating to life insurance companies; reserve valuation method; principle-based valuation; standard nonforfeiture law; amending K.S.A. 2014 Supp. 40-409 and 40-428 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosseode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**HB 2387**, AN ACT concerning emergency medical services; amending K.S.A. 2013 Supp. 65-6112, as amended by section 51 of chapter 131 of the 2014 Session Laws of Kansas, and K.S.A. 2014 Supp. 65-6102, 65-6111, 65-6120, 65-6121, 65-6129b, 65-6129c, 65-6133, 65-6135 and 65-6144 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not



voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**SB 21**, AN ACT concerning motor vehicles; relating to commercial vehicles; motor carriers; regulation; amending K.S.A. 2014 Supp. 66-1,109 and 66-1,129 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 1; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed.

**Sub SB 38**, AN ACT concerning patent infringement; relating to bad faith assertions of patent infringement; Kansas consumer protection act, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not

voting: 9.

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The substitute bill passed, as amended.

**SB 109**, AN ACT concerning emergencies and disasters; creating the Kansas disaster utilities response act; department of revenue, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcala, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed, as amended.

**SB 228**, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; defining eligible employees as police; providing retroactive application; amending K.S.A. 2014 Supp. 74-4952 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Anthimides, Francis, Frownfelter, Hutton, Kiegerl, Schwartz, Sloan, Suellentrop, Victors.

The bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **Sub SB 131, SB 252** be passed.

Committee on **Education** recommends **SB 8** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2341** be passed.

Committee on **Transportation** recommends **SB 150, SB 190** be passed.

Committee on **Transportation** recommends **SB 127** be amended on page 1, in line 34, by striking "markers" and inserting "highway signs"; on page 3, following line 1, by inserting:

"New Sec. 7. Bridge no. 14(030) on Kansas highway 15 in Clay county is hereby designated as the Clay county Vietnam veterans bridge. The secretary of transportation shall place suitable signs to indicate the bridge is the Clay county Vietnam veterans bridge, except that such signs shall not be placed until the secretary has received sufficient moneys from gifts and donations to reimburse the secretary for the cost of placing such signs and an additional 50% of the initial cost to defray future maintenance or replacement costs of such signs. The secretary of transportation may accept and administer gifts and donations to aid in obtaining and installing suitable signs.

New Sec. 8. The junction of interstate highway 70 and 110<sup>th</sup> street in Wyandotte county is hereby designated as the Bert Cantwell memorial interchange. The secretary of transportation shall place signs along the highway right-of-way at proper intervals to indicate that the junction of interstate highway 70 and 110<sup>th</sup> street is the Bert Cantwell memorial interchange, except that such signs shall not be placed until the secretary has received sufficient moneys from gifts and donations to reimburse the secretary for the cost of placing such signs and an additional 50% of the initial cost to defray future

maintenance or replacement costs of such signs. The secretary of transportation may accept and administer gifts and donations to aid in obtaining and installing suitable signs.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "memorial highways" and inserting "roads and bridges"; also in line 1, before "signage" by inserting "commemorative"; in line 4, by striking "and" and inserting a comma; in line 5, after "highway" by inserting ", the Clay county Vietnam veterans bridge and the Bert Cantwell memorial interchange"; and the bill be passed as amended.

### REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 60**, by Representative John Bradford, congratulating Linsey Albee, in recognition for achievement of the Girl Scout Gold Award;

**Request No. 61**, by Representative John Barker, commending David L. Sproat, in recognition of his exemplary service to the citizens of Kansas, the United States of America and his retirement on March 31<sup>st</sup>, 2015;

**Request No. 62**, by Representative John L. Ewy, congratulating Kyle L. Harris in recognition for achievement of Eagle Scout;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

### COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Frownfelter on Committee on Insurance on March 20.

Also, Rep. Ruiz to replace Rep. Alcalá on Committee on Local Government on March 20.

### READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 396, under Change of Reference, **HB 2215** should be added to the second paragraph which should read: Also, the withdrawal of **HB 2182**, **HB 2213**, **HB 2215**, **HB 2315** from Committee on Appropriations and referral to Committee on Elections.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Monday, March 23, 2015.

# Journal of the House

FORTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 23, 2015, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

## COMMUNICATIONS FROM STATE OFFICERS

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that Gregory Lewis was appointed by the Governor effective March 23, 2015, for the unexpired term One-Hundred Thirteenth District of the Kansas House of Representatives, to fill the vacancy created by the resignation of Basil Dannebohm, and was administered the following oath of office on March 23, 2015.

State of Kansas  
County of Shawnee}SS.

I, Gregory Lewis, do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Kansas House of Representatives, District 113, so help me God.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and cause to be affixed my official seal this 23<sup>rd</sup> day of March, A.D. 2015.

KRIS KOBACH  
*Secretary of State*  
ERIC RUCKER  
*Assistant Secretary of State*

Speaker Merrick welcomed Rep. Lewis to the House of Representatives.  
The House is again organized with 125 members.

The roll was called with 124 members present.  
Rep. Kelley was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God in heaven,  
 Thank You for this beautiful day  
 and a new week that promises to be a busy one.  
 May we not be shocked at what lies ahead  
 nor shocked by potential controversy.  
 In all our discussion and debate  
 help us to speak kind words and  
 avoid harsh words that may shock others.  
 Help us to be encouraging to one another,  
 not shocking or provoking.  
 Help us to work together to keep composure.  
 None of us are shocked about the  
 decisions that are to be made.  
 Nor will we be shocked when You grant  
 wisdom, direction and common sense to each one.  
 May we not be shocked at the outcome of our work  
 as some may have been shocked of the outcome  
 of a game yesterday.  
 Lord, I know this prayer does not come as a shock to You,  
 nor is it shocking to You that I would pray this in Your Name,  
 Amen.

The Pledge of Allegiance was led by Rep. Curtis.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Hibbard are spread upon the Journal:

I have with me today the 2015 Class 2A State Scholars Bowl Champions from Yates Center. This is the second year in a row that the Wildcats have brought home the championship trophy from the state meet. Members of the team are: Rhett Stratman, Andrew Pringle, Drake Busted, Hayden Splechter, Charles Hess, Mikey Bruner, and their teacher and coach, Collette Jacobs.

I feel very positive about the quality of education we are providing in the 13<sup>th</sup> District. There is no doubt that every teacher and administrator these young people have been in contact with throughout their academic upbringing have had a part in making this award possible.

Congratulations to this team and to the Yates Center School District.

Rep. Hibbard presented a framed House certificate to the team and coach.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Rooker are spread upon the Journal:

Today I am proud to recognize the Boys 6A High School State Football Champions, the Shawnee Mission East Lancers. With me today are Head Coach Dustin Delaney, Assistant Coach Chip Ufford, Senior Team Members Gunnar England, Clark Doerr, Will Oakley, Alec Dean, Jackson Gossick, Sam Huffman, Kyle Ball, Sam Pottenger, James Wooldridge, Tyler Maxwell, Jackson Lovelace, and Principal John McKinney. I am pleased to recognize the team for bringing home the first state football championship in our 56-year school history. This achievement is a testament not just to skill on the gridiron, but also the many benefits of high school activities have on character development. Among this group we have 22 academic honor award winners, and 9 Eagle Scouts. The team engaged in a variety of community service projects such as landscape work for Hope House, working at the Harvesters Food Pantry and reading to elementary school students in our district. Through it all they learned the value of teamwork, grit and determination. Their run at the championship began last year when they made it to the final game based on a season of improbable Hail Mary plays, and late conversions. They learned never to give up on themselves, and to believe in the power of perseverance. This year, their 13-0 championship season hinged on a gutsy double overtime 2 point conversion in the semi-final game. Please join me in honoring the 2014 6A State Football Champion Shawnee Mission East Lancers.

#### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Swanson are spread upon the Journal:

Today I would like to introduce Robert Moran, head coach of the Clay Center High School Tigers volleyball team as well as high school Counselor and Athletic Director. Coach Vince Lombardi once said, "The quality of a person's life is in direct proportion to their commitment to excellence, regardless of their chosen field of endeavor. Coach Moran is a quality coach, a quality counselor and a quality person but today we are recognizing him as the 2014 class 4A division 2 Volleyball Coach of the Year. His coaching career spans 20 years, 15 at the high school level with a record of 371 wins and 170 losses. Coach Moran attributed a hard-working core of senior girls who played together through middle school and high school as the key to winning the class 4A -Division 2 State Volleyball Championship.

Accompanying Coach Moran are Seniors Macey Dieckman, Emily Ebert, Mack Edmundson, Macy Franson, Kelsey Jones, Amanda Roth and Lorren Williams, Juniors Courtney Hammel, and Hannah Swihart and Sophomores Megan Blake, Samantha Carson, Taylor Humphrey, and Lauren Lane. The hard work and discipline these girls demonstrate on the court is also evident in the classroom. The cumulative grade point average of these 13 young ladies is 3.84. Incidentally many (all) of these girls were also members of the CCCHS basketball team which placed third at the State Tournament this year.

Please join me in congratulating Kansas Coach of the Year, Robert Moran, and the Clay Center Community High School State Volleyball Championship team.

Rep. Swanson presented a framed House certificate to the team and coach.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2417**, AN ACT concerning abortion; prohibiting decapitation of unborn children, by Committee on Federal and State Affairs.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Appropriations: **SB 161**.

Judiciary: **SB 86**.

**CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2002**, **HB 2054** from Committee on Appropriations and rereferral to Committee on Judiciary.

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 42**, **SB 98**, **Sub SB 155**, **SB 175**, **SB 193**, **SB 246**, **SB 276**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 42**, **SB 98**, **Sub SB 155**, **SB 175**, **SB 193**, **SB 246**, **SB 276**.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Vickrey, **HR 6021**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

**HR 6021**— A RESOLUTION relating to assignment of seats of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the members of the 2015 regular session of the legislature shall occupy the same seats assigned pursuant to 2015 House Resolution No. 6002 with the following exception: Lewis, seat No. 106.

**CONSENT CALENDAR**

No objection was made to **SB 8** appearing on the Consent Calendar for the first day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwartz in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Schwartz, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 73**, **SB 150** be passed.



Committee report to **HB 2112** be adopted; and the bill be passed as amended.

Committee report to **SB 108** be adopted; and the bill be passed as amended.

Committee report to **SB 127** be adopted; and the bill be passed as amended.

Committee report to **SB 124** be adopted; also, on motion of Rep. Kuether, **SB 124** be amended on page 8, in line 11, after "resources" by inserting ", utilities"; in line 12, after "resources" by inserting ", energy and environment"; and the bill be passed as amended.

Committee report to **SB 154** be adopted; also on motion of Rep. Frownfelter to amend **SB 154**, the motion did not prevail. Also, on further motion of Rep. Frownfelter to amend, rose and reported progress.

### REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 70** be amended on page 1, in line 18, after the period by inserting "If such applicant is employed by a school district, such school district may pay such fee on behalf of such applicant.";

On page 2, in line 5, after "(c)" by inserting "The school district may pay for the cost of the criminal history records check or may require"; also in line 5, by striking "shall" and inserting "to"; in line 6, by striking "for the criminal history records check";

On page 7, in line 37, by striking all after the period; in line 38, by striking all before the period and inserting "The public innovative district may pay for the cost of the criminal history records check or may require each person subject to the provisions of this subsection to pay a fee in an amount necessary to reimburse the public innovative district for the cost of the criminal history records check";

On page 1, in the title, in line 1, by striking "teachers" and inserting "schools"; also in line 1, after "to" by inserting "employee"; also in line 1, by striking "and"; in line 2, by striking all before the semicolon; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 105** be passed.

Committee on **Judiciary** recommends **SB 157** be passed.

Committee on **Judiciary** recommends **SB 11** be amended on page 8, in line 14, by striking "regardless of" and inserting "if"; in line 15, after "damage" by inserting "exceeds \$5,000"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 59** be amended on page 1, in line 10, by striking "wildlife and parks"; in line 11, after "violations" by inserting "of the wildlife, parks and tourism laws of this state or rules and regulations adopted thereunder"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 149** be amended on page 9, by striking all in lines 19 through 43;

By striking all on pages 10 through 15;

On page 16, by striking all in lines 1 through 3; in line 30, by striking "(d), (e), (f), (h), (i) and (j)" and inserting "(e), (f) and (g)";

On page 34, in line 31, by striking "59-29a08,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "59-29a08,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 183** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2014 Supp. 60-2403 is hereby amended to read as follows: 60-

2403. (a) (1) Except as provided in subsection (b) ~~or (d)~~, if a renewal affidavit is not filed or if execution, including any garnishment proceeding, support enforcement proceeding or proceeding in aid of execution, is not issued, within five years from the date of the entry of any judgment in any court of record in this state, including judgments in favor of the state or any municipality in the state, or within five years from the date of any order reviving the judgment or, if five years have intervened between the date of the last renewal affidavit filed or execution proceedings undertaken on the judgment and the time of filing another renewal affidavit or undertaking execution proceedings on it, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. When a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.

(2) A "renewal affidavit" is a statement under oath, signed by the judgment creditor or the judgment creditor's attorney, filed in the proceedings in which the judgment was entered and stating the remaining balance due and unpaid on the judgment.

(3) A "support enforcement proceeding" means any civil proceeding to enforce any judgment for payment of child support or maintenance and includes, but is not limited to, any income withholding proceeding under the income withholding act, K.S.A. 2014 Supp. 23-3101 et seq., and amendments thereto, any contempt proceeding and any civil proceeding under the uniform interstate family support act, K.S.A. 2014 Supp. 23-36,101 et seq., and amendments thereto.

(b) Except for those judgments which have become void as of July 1, 2007, no judgment for the support of a child shall be or become dormant for any purpose except as provided in this subsection. Except for those judgments which have become void as of July 1, 2015, no judgment for court costs, fees, fines or restitution shall be or become dormant for any purpose except as provided in this subsection. If a judgment would have become dormant under the conditions set forth in subsection (a), the judgment shall cease to operate as a lien on the real estate of the judgment debtor as of the date the judgment would have become dormant, but the judgment shall not be released of record pursuant to subsection (a).

(c) The time within which action must be taken to prevent a judgment from becoming dormant does not run during any period in which the enforcement of the judgment by legal process is stayed or prohibited.

~~(d) If a renewal affidavit is not filed or if execution is not issued, within 10 years from the date of the entry of any judgment of restitution in any court of record in this state, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. Except as provided in subsection (b), when a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.~~

Also on page 1, in line 7, by striking "office of judicial administration" and inserting "judicial administrator";

On page 2, in line 9, by striking all after "the"; in line 10, by striking "administration" and inserting "judicial administrator"; in line 26, by striking "office of judicial administration" and inserting "judicial administrator";

On page 7, in line 40, after "Supp." by inserting "60-2403,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "debtors of the state" and inserting "courts"; also in line 1, after "to" by inserting " court costs, fees, fines and restitution;" in line 2, after "Supp." by inserting "60-2403,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 184** be amended as recommended by House Committee on Judiciary as reported in the Journal of the House on March 19, 2015, and the bill as printed as **SB 184** be further amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 184," as follows:

"House Substitute for SENATE BILL NO. 184

By Committee on Judiciary

"AN ACT concerning driver's licenses; requiring certain individuals to enter into a payment plan to receive restricted driving privileges; amending K.S.A. 2014 Supp. 8-2110 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 184** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 206** be amended on page 2, by striking all in line 33; in line 34, by striking all before the semicolon and inserting "court costs and costs incurred in investigating the violation"; following line 36, by inserting:

"(5) In any enforcement action under this section, if the court finds that any of the provisions of K.S.A. 45-215 et seq., and amendments thereto, were violated, such court:

(A) Except as provided in subsection (c)(5)(B), may require the public agency to pay the attorney general's reasonable attorney fees; and

(B) shall require the public agency to pay the attorney general's reasonable attorney fees, if the public agency's violation was not made in good faith and without a reasonable basis in fact or law.";

On page 3, in line 32, after "public" by inserting "body or"; in line 35, after "public" by inserting "body or"; in line 36, after "public" by inserting "body or"; in line 37, after "public" by inserting "body or";

On page 4, in line 3, after "public" by inserting "body or"; in line 6, after "public" by inserting "body or"; in line 11, after "public" by inserting "body or"; in line 13, after "public" by inserting "body or"; in line 28, after "public" by inserting "body or"; in line 30, after "public" by inserting "body or"; in line 38, after "public" by inserting "body or";

On page 5, in line 1, after "public" by inserting "body or"; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "court costs and costs incurred in investigating the violation"; following line 5, by inserting:

"(4) In any enforcement action under this section, if the court finds that any of the provisions of K.S.A. 75-4317 et seq., and amendments thereto, were violated, such court:

(A) Except as provided in subsection (c)(4)(B), may require the public body or agency to pay the attorney general's reasonable attorney fees; and

(B) shall require the public body or agency to pay the attorney general's reasonable attorney fees, if the public body or agency's violation was not made in good faith and without a reasonable basis in fact or law.";

Also on page 5, in line 7, after "public" by inserting "body or";

On page 6, following line 34, by inserting:

"Sec. 10. K.S.A. 2014 Supp. 45-221 is hereby amended to read as follows: 45-221.

(a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2014 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2014 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records which are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information which would reveal the identity of any undercover agent or any informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the court finds that disclosure:

(A) Is in the public interest;

(B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;

(C) would not reveal the identity of any confidential source or undercover agent;

(D) would not reveal confidential investigative techniques or procedures not known to the general public;

(E) would not endanger the life or physical safety of any person; and

(F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

If a public record is discretionarily closed by a public agency pursuant to this

subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of paragraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than correspondence which is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

- (A) The information which the agency maintains on computer facilities; and
- (B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications which are prepared by a person other than an employee of a public agency or records which are the property of a private person.

(19) Well samples, logs or surveys which the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers, which records pertain to proposed legislation or amendments to proposed legislation, except that this exemption

shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which pertain to identifiable individuals.

(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records which represent and constitute the work product of an attorney.

(26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service.

(27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.

(28) Sealed bids and related documents, until a bid is accepted or all bids rejected.

(29) Correctional records pertaining to an identifiable inmate or release, except that:

(A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;

(B) the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;

(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall not be disclosed; and

(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set

forth in an order of restitution by the sentencing court.

(30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

(31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as otherwise provided by law.

(32) Engineering and architectural estimates made by or for any public agency relative to public improvements.

(33) Financial information submitted by contractors in qualification statements to any public agency.

(34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information which would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to ~~subsection (b)~~ of K.S.A. 40-409**(b)**, and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under ~~subsection (a)~~ of K.S.A. 40-2,156**(a)**, and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital which the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign limited partnership, domestic limited liability partnerships and foreign limited liability



partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; or (C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers, DD Form 214. Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safehouse or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with ~~subsection (h)(1) of~~ K.S.A. 44-532(h)(1), and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact information which has been given to the public agency for the purpose of public agency notifications or communications which are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act, and amendments thereto, upon request of the party submitting such records.

(51) Records of a public agency on a public website which are searchable by a keyword search and identify the home address or home ownership of a law enforcement officer as defined in K.S.A. 2014 Supp. 21-5111, and amendments thereto, parole officer, probation officer, court services officer or community correctional services officer. Such individual officer shall file with the custodian of such record a request to have such officer's identifying information restricted from public access on such public website. Within 10 business days of receipt of such requests, the public agency shall restrict such officer's identifying information from such public access. Such restriction shall expire after five years and such officer may file with the custodian of such record a new request for restriction at any time.



(52) Records of a public agency on a public website which are searchable by a keyword search and identify the home address or home ownership of a federal judge, a justice of the supreme court, a judge of the court of appeals, a district judge, a district magistrate judge, a municipal judge, the United States attorney for the district of Kansas, an assistant United States attorney, a special assistant United States attorney, the attorney general, an assistant attorney general, ~~a district attorney or county attorney or an assistant district attorney or assistant county attorney~~ special assistant attorney general, a county attorney, an assistant county attorney, a special assistant county attorney, a district attorney, an assistant district attorney, a special assistant district attorney, a city attorney, an assistant city attorney or a special assistant city attorney. Such person shall file with the custodian of such record a request to have such person's identifying information restricted from public access on such public website. Within 10 business days of receipt of such requests, the public agency shall restrict such person's identifying information from such public access. Such restriction shall expire after five years and such person may file with the custodian of such record a new request for restriction at any time.

(53) Records of a public agency that would disclose the name, home address, zip code, e-mail address, phone number or cell phone number or other contact information for any person licensed to carry concealed handguns or of any person who enrolled in or completed any weapons training in order to be licensed or has made application for such license under the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto, shall not be disclosed unless otherwise required by law.

(54) Records of a utility concerning information about cyber security threats, attacks or general attempts to attack utility operations provided to law enforcement agencies, the state corporation commission, the federal energy regulatory commission, the department of energy, the southwest power pool, the North American electric reliability corporation, the federal communications commission or any other federal, state or regional organization that has a responsibility for the safeguarding of telecommunications, electric, potable water, waste water disposal or treatment, motor fuel or natural gas energy supply systems.

(55) Records of a public agency containing information or reports obtained and prepared by the office of the state bank commissioner in the course of licensing or examining a person engaged in money transmission business pursuant to K.S.A. 9-508 et seq., and amendments thereto, shall not be disclosed except pursuant to K.S.A. 9-513c, and amendments thereto, or unless otherwise required by law.

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" shall not include a request

to an employee of a public agency that a document be prepared.

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record which has been in existence more than 70 years shall be open for inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.";

On page 9, in line 4, after "a" by inserting "public"; in line 40, by striking "agency or"; also in line 40, after "body" by inserting "or agency";

On page 11, in line 5, after "Supp." by inserting "45-221,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after "Supp." by inserting "45-221,;" and the bill be passed as amended.

Committee on **Local Government** recommends **SB 247** be passed.

Committee on **Transportation** recommends **SB 215** be amended on page 4, following line 6, by inserting:

"Sec. 2. K.S.A. 8-143e is hereby amended to read as follows: 8-143e. The county treasurer shall issue to the owner a registration receipt on each application for a truck or truck tractor license. The registration application and receipt shall be in such number and contain such information as the division shall determine. Except as provided by K.S.A. 8-142 First, and amendments thereto, a copy of the registration receipt shall be carried in the cab of such truck or truck tractor during all the time the same is operated on the highways of this state. Any truck or truck tractor for which the owner has declared the maximum gross weight to be more than ~~twelve thousand (12,000)~~ 12,000 pounds shall have painted or otherwise durably marked on ~~said the~~ the vehicle on both sides ~~thereof~~, in plain letters not less than two ~~(2)~~ inches in height and with not less than ~~one-fourth (1/4)~~ 1/4 inch stroke, the gross weight for which ~~said the~~ the vehicle is licensed, and the name and address of the owner or lessee ~~thereof~~. ~~Provided, That,~~ If the division ~~shall find~~ finds that any insignia or trademark painted or otherwise durably marked on any such vehicle is sufficient to properly show the gross weight for which ~~said the~~ the vehicle is licensed and to identify the owner and show the address of the owner ~~thereof~~, the division may issue a permit authorizing the use of such insignia or trademark-~~Provided further, That,~~ A vehicle registered as a farm truck or truck tractor shall not be

required to be so painted or marked. When such painting or marking shall become illegible, the same shall be repainted or remarked, as herein required.";

Also on page 4, in line 7, before "K.S.A" by inserting "K.S.A. 8-143e and"; also in line 7, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "amending" by inserting "K.S.A. 8-143e and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **SB 112** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 112," as follows:

"House Substitute for SENATE BILL NO. 112

By Committee on Veterans, Military and Homeland Security

"AN ACT concerning military service members and military spouses; expedited professional credentialing; amending K.S.A. 2014 Supp. 48-3406 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 112** was thereupon introduced and read by title.)

#### COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Mast to replace Rep. Highland on Committee on Education for March 23. Rep. Highland will resume his membership on March 24.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **HB 2006** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Ryckman, the House nonconcurrred in Senate amendments to **HB 2010** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **HB 2044** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **S Sub**

for **HB 2090** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman Sr. and Lusker as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2231** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2364** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report, as follows, was adopted:

Recommended that discussion resume on motion of Rep. Frownfelter to amend **SB 154** (see page 487). The motion did not prevail.

Also, on motion of Rep. Ward to amend **SB 154**, Rep. Suellentrop requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2054** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2054," as follows:

"Substitute for HOUSE BILL NO. 2054

By Committee on Judiciary

"AN ACT enacting the public speech protection act."; and the substitute bill be passed.

(**Sub HB 2054** was thereupon introduced and read by title.)

Committee on **Veterans, Military and Homeland Security** recommends **SB 12** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 12," as follows:

"House Substitute for SENATE BILL NO. 12

By Committee on Veterans, Military and Homeland Security

"AN ACT concerning crimes, punishment and criminal procedure; relating to service members of the United States armed forces; diversion; sentencing;; amending K.S.A. 2014 Supp. 12-4415, 21-6630, 21-6815 and 22-2908 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 12** was thereupon introduced and read by title.)

#### CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Highberger as a member of the conference committee on **SB 113** to replace Rep. Carmichael.

**REPORT ON ENROLLED BILLS**

**HB 2053** reported correctly enrolled, properly signed and presented to the Governor on March 23, 2015.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6019** reported correctly enrolled and properly signed on March 23, 2015.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Tuesday, March 24, 2015.

# Journal of the House

FORTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 24, 2015, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.  
The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Lord God,  
Once again we come before You and thank You  
for the good day You have given us.  
Help us all to redeem our time  
and appreciate deeply the good You provide.  
Lord, as we enter into the last few days before break  
and the work load and decisions that are to be made increase,  
remind our leaders that the tasks ahead of them  
are never as great as the power behind them.  
As they work together,  
help them to lean on each other's strengths,  
and forgive each other's weaknesses.  
Remind each one that  
freedom is not the right to do as they please,  
but the liberty to do as they ought.  
And help them to realize that  
when they have done all what they can,  
You will do what they can't.  
In Christ's Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Concannon.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 193.**

Commerce, Labor and Economic Development: **SB 276.**

Elections: **SB 42.**

Energy and Environment: **SB 246.**

Federal and State Affairs: **HB 2417, SB 175.**

Financial Institutions: **Sub SB 155.**

Judiciary: **SB 98.**

**MESSAGES FROM THE SENATE**

The Senate nonconcur in House amendments to **Substitute for SB 38**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 228**, requests a conference and has appointed Senators King, Longbine and Hensley as conferees on the part of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **Sub SB 38**.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 228**.

Speaker pro tem Mast thereupon appointed Reps. Johnson, Thompson and Trimmer as conferees on the part of the House.

**CONSENT CALENDAR**

No objection was made to **SB 8** appearing on the Consent Calendar for the second day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2112**, AN ACT concerning courts; relating to county law libraries; amending K.S.A. 20-3127 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, KleeB, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Highberger.

Present but not voting: None.

Absent or not voting: Peck.

The bill passed, as amended.

**SB 73**, AN ACT concerning motor vehicles; relating to definitions; amending K.S.A. 2014 Supp. 8-126, 8-1402a and 8-1493 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 5; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Houser, Schroeder, Schwartz, Sloan, Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**SB 108**, AN ACT concerning real estate brokers and salespersons; relating to license fees; licensure; technical amendments; amending K.S.A. 58-30,106 and K.S.A. 2014 Supp. 58-3046a, 58-3050, 58-3062, 58-3063 and 58-30,103 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 17; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Bollier, Campbell, Corbet, DeGraaf, Esau, Garber, Grosserode, Hildabrand, Houser, K. Jones, Kelley, McPherson, Merrick, Rhoades, Scapa, Sutton, Thimesch.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.



**SB 124**, AN ACT concerning the department of health and environment; relating to radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste; amending K.S.A. 48-1603 and 48-1620 and K.S.A. 2014 Supp. 65-171d and 65-3407c and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 25; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Whitmer, Williams, Wilson.

Nays: Alcala, Ballard, Bridges, Burroughs, Campbell, Carlin, Carmichael, Curtis, Finney, Frownfelter, Henderson, Henry, Highberger, Kuether, Lane, Lusk, Ousley, Ruiz, Sawyer, Tietze, Victors, Ward, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**SB 127**, AN ACT concerning roads and bridges; relating to commemorative signage; requiring the secretary of transportation to collect sufficient funds prior to installation; designating the 2nd Lieutenant Justin L Sisson memorial highway, the George Ablah expressway, the Kenneth W Bernard memorial highway, the Clay county Vietnam veterans bridge and the Bert Cantwell memorial interchange; amending K.S.A. 68-1034 and K.S.A. 2014 Supp. 68-10,106 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch,

Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Lane.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**SB 150**, AN ACT concerning motor carriers; relating to the regulation thereof; representation before the corporation commission; amending K.S.A. 2014 Supp. 66-1,142b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**SB 154**, AN ACT concerning employment security law; relating to determination of benefits; employer classification rates; administration by secretary of labor; employment security personnel; amending K.S.A. 2014 Supp. 44-704, 44-706, 44-709, 44-710a, 44-714, 44-717 and 44-757 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 28; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder,

Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcala, Ballard, Bridges, Burroughs, Carlin, Carmichael, Curtis, Finney, Frownfelter, Henderson, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: Kansas has a moral obligation to support its citizens when they have fallen on hard times. I oppose **SB 154** because it abandons that obligation by limiting the maximum weekly unemployment insurance benefit available to a Kansas worker. Instead of prioritizing the needs of Kansas families, it prioritizes profits and a result the Employment Security Trust Fund will be depleted by more than \$165 million over the next year. I strongly oppose the bill because it devalues and demeans the dignity of Kansans worked hard and have fallen on hard times. – TOM BURROUGHS

MR. SPEAKER: I was elected to protect the well-being of the state and it is for that reason that I cannot, in good conscience, vote in favor **SB 154**. A reduction of employers' contributions to the Employment Security Trust Fund will reduce the fund by more than \$165 million over the next year. In the event of a financial crisis, it exposes Kansas to fiscal distress and there are no mechanisms to recover such funds. This was proven true In 2009, when the state was forced to borrow money from the federal government, and will prove, true again if the number of unemployment claims rises. – RODERICK HOUSTON, CAROLYN BRIDGES, BRODERICK HENDERSON, HAROLD LANE, JOHN ALCALA, GAIL FINNEY, KATHY WOLFE MOORE, BARBARA BALLARD, NANCY LUSK, STAN FROWN FELTER, PAM CURTIS, LOUIS RUIZ, JOHN WILSON, ED TRIMMER

MR. SPEAKER: I am voting against **SB 154** because it harms Kansas families when they are most vulnerable. It limits the ability of Kansans, who have lost their jobs due to unfortunate circumstances, to provide for their family by setting a maximum weekly unemployment insurance benefit. The cap does not account for an individual's weekly salary or increase with the cost of living. This makes it clear that hard working Kansans are not a priority and I will not support the bill. – ANNIE KUETHER, VALDENIA WINN, ANNIE TIETZE, TOM SAWYER, PONKA-WE VICTORS

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House nonconcurrent in Senate amendments to **HB 2025** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2391** be adopted; also, on motion of Rep. Frownfelter be amended on page 4, in line 43, by striking "may" and inserting "shall";

Also, roll call was demanded on motion of Rep. Alcalá to amend **HB 2391** on page 1, following line 6, by inserting:

"New Section 1. For calendar year 2016, and in each calendar year thereafter, each full-time employee of the state of Kansas shall receive one discretionary holiday in addition to the discretionary holiday designated by the governor pursuant to rules and regulations. Each eligible employee shall receive the number of hours equal to the number of hours that employee is regularly scheduled to work for such additional discretionary holiday. All laws, rules and regulations related to discretionary holidays and leave shall apply to such additional discretionary holiday. In order to be eligible for such additional discretionary holiday during the calendar year, such state employee shall have been employed full-time by the state of Kansas for all of the last preceding calendar year.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after "to" by inserting "discretionary holiday leave;"

On roll call, the vote was: Yeas 48; Nays 77; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Anthimides, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Corbet, Curtis, Dierks, Doll, Ewy, Finney, Frownfelter, Gallagher, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Houston, Hutchins, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Rooker, Ruiz, Sawyer, Smith, Swanson, Tietze, Todd, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Concannon, Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, KleeB, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Suellentrop, Sutton, Thimesch, Thompson, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: None.

The motion of Rep. Alcalá did not prevail.

Also, on motion of Rep. Carmichael to amend **HB 2391**, Rep. Davis requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Rep. Carmichael challenged the ruling of the Rules Chair, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained.

Also, roll call was demanded on motion to recommend **HB 2391** favorably for passage.

On roll call, the vote was: Yeas 71; Nays 53; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Phillips, Powell, Read, Rhoades, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcala, Anthimides, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Ewy, Finch, Finney, Frownfelter, Gallagher, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Patton, Pauls, Proehl, Rooker, Ruiz, Sawyer, Sloan, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Rubin.

The motion to recommend **HB 2391** favorable for passage prevailed, and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 188** be amended on page 6, in line 4, after the period by inserting "Upon a showing of good cause by a school district, the state board may grant an extension period of an additional 30 days for such school district to cure the noncompliance and submit evidence of subsequent compliance."; in line 6, after "period" by inserting "or, if the state board granted an extension to a school district, prior to the expiration of such extension period"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2134** be amended on page 1, in line 36, by striking "or"; following line 36, by inserting:

"(2) the protected consumer reaches 18 years of age; or";

On page 2, in line 1, by striking "(2)" and inserting "(3)"; in line 26, after "or" by inserting "provided an"; in line 27, by striking the second "of" and inserting "or"; in line 33, by striking all after "to"; in line 34, by striking all before the colon; in line 43, after "(i)" by inserting "(1) and (6) through (12) or 50-724(a)(1) through (5)";

On page 3, in line 7, by striking "willfully"; in line 8, by striking all after "consumer"; by striking all in lines 9 through 34; in line 35, by striking all before the period and inserting "shall be liable pursuant to the provisions of the fair credit reporting act";

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

On page 6, in line 10 before "its", by inserting "January 1, 2016, and"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 240** be amended on page 4, in line 42, by striking "not the name" and inserting "different from that"; in line 43, before "doing" by inserting ": (A)"; also in line 43, after "town" by inserting a semicolon; also

in line 43, after "and" by inserting:

"(B)";

On page 5, in line 23, after "designee" by inserting a comma; in line 29, by striking ", and in addition thereto," and inserting "and"; also in line 29, by striking "paid" and inserting "compensated";

On page 6, in line 4, by striking the second comma; in line 25, by striking "state"; in line 26, by striking "bank"; following line 28, by inserting:

"(e) Within two weeks of the beginning of each legislative session, the commissioner shall submit to the senate committee on ways and means, the appropriate senate budget subcommittee, the house of representatives committee on appropriations and the appropriate house of representatives budget committee, a written summary of any rules and regulations adopted to establish fees pursuant to subsection (b) during the preceding year.";

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

Also on page 6, in line 39, by striking "which" and inserting "that: (1)"; in line 40, by striking the comma and inserting: "

(2)";

Also on page 6, in line 42, by striking the comma and inserting: "

(3)";

Also on page 6, in line 43, by striking the second comma and inserting: "

(4)";

Also on page 6, in line 43, after "deposits" by inserting a semicolon; also in line 43, after "and" by inserting:

"(5)";

On page 7, in line 41, after "bank" by inserting a comma; in line 42, by striking the comma;

On page 8, in line 28, by striking the comma;

On page 9, in line 3, after "Subsidiary" by inserting "means,."; in line 4, by striking "means"; in line 5, after "company" by inserting "with"; also in line 5, by striking "of which"; in line 7, by striking "is" and inserting "that are";

On page 11, in line 25, by striking all after the first "the"; by striking all in line 26; in line 27, by striking all before "proposed"; in line 34, before "competence" by inserting "financial condition of the applicant or any of its subsidiary banks would jeopardize the financial stability of the Kansas state chartered bank or bank holding company that has an ownership interest in a Kansas state chartered bank which is the subject of the application.

(f) Whether the";

On page 13, in line 2, by striking the third comma; in line 18, by striking the second comma; in line 35, before "that" by inserting ": (1) (A)"; in line 36, by striking ", or a deposit" and inserting: "

(B) that is";

Also on page 13, in line 37, by striking ", or a deposit representing" and inserting: "

(C) that represents";

Also on page 13, in line 39, by striking all after "withdrawal"; in line 40, by striking "representing" and inserting: "; or

(D) that represents";

Also on page 13, in line 42, after "withdrawal" by inserting a semicolon; also in line 42, after "and" by inserting:

"(2) that";

Also on page 13, in line 42, after the period by inserting:

"(3)";

On page 14, in line 1, by striking "herein" and inserting "in this section";

On page 16, in line 33, by striking "low-" and inserting "low-income"; in line 34, by striking "low-" and inserting "low-income";

On page 17, in line 12, by striking ", nor shall any such institution" and inserting "nor"; in line 28, before "doing" by inserting ": (A)"; in line 29, after "town" by inserting a semicolon; also in line 29, after "and" by inserting:

"(B)";

On page 18, in line 19, by striking the second comma; also in line 19, by striking the third comma;

On page 20, in line 12, by striking "by whom paid," and inserting "the persons that paid"; in line 20, by striking the comma; in line 30, before "if" by inserting a comma;

On page 21, in line 8, by striking the comma; in line 13, before "doing" by inserting ": (A)"; also in line 13, by striking "and" and inserting "; or

(B)";

Also on page 21, in line 14, by striking ", and" and inserting a period; in line 39, after "favorably" by inserting a comma;

On page 22, in line 9, after "section" by inserting a comma; in line 17, after "section" by inserting a comma;

On page 23, in line 35, by striking the comma; in line 42, before "doing" by inserting ": (1)"; in line 43, by striking "and" and inserting "; or

(2)";

On page 24, in line 5, after "from" by inserting "subsection"; also in line 5, by striking "of this section"; in line 12, after "notify" by inserting "the commissioner,"; in line 13, after "approve" by inserting a comma; in line 32, before "For" by inserting "(1)"; in line 37, by striking the second comma; in line 38, by striking "(c)" and inserting "(2)"; in line 39, by striking all after "500,000"; by striking all in line 40; in line 41, by striking all before the period and inserting ". The capital shall be divided with 60% of the amount as the aggregate par value of outstanding shares of capital stock, 30% as surplus and 10% as undivided profits"; in line 42, by striking "(d)" and inserting "(3)"; also in line 42, by striking the second "the" and inserting "a";

On page 25, in line 2, by striking the comma; in line 3, after "and" by inserting "the"; in line 9, by striking "(f)"; in line 23, before "All" by inserting:

"(d)";

Also on page 25, in line 26, by striking "(g)"; in line 30, before "Any" by inserting:

"(e)";

Also on page 25, in line 37, by striking the comma; in line 42, by striking "(h)";

On page 26, in line 1, before "Any" by inserting:

"(f)";

Also on page 26, in line 2, by striking the comma; in line 7, by striking the second "the" and inserting "a"; in line 8, by striking "(c)" and inserting "(b)"; in line 9, by striking "(f)" and inserting "(d)"; in line 10, by striking the comma; in line 13, by striking the comma;

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

Also on page 26, in line 31, after "retired" by inserting a comma;

On page 27, in line 1, by striking ", nor shall any" and inserting ". No"; in line 2, after "profit" by inserting "shall"; in line 21, by striking all after "company"; in line 22, by striking "situations" and inserting "if there is a transfer of"; in line 23, by striking "If there is a transfer of"; also in line 23, by striking "which result" and inserting "that results"; in line 26, by striking "if there is a transfer of"; in line 29, by striking "which result" and inserting "that results";

On page 33, in line 16, by striking the second comma; in line 17, after "bank" by inserting a comma; in line 22, by striking the third comma; in line 38, by striking the comma;

On page 34, in line 6, after "corporation" by inserting a comma; in line 14, after "acquisition" by inserting a comma; in line 30, by striking the second comma;

On page 35, in line 20, by striking the second comma;

On page 36, in line 24, after the first "and" by inserting a comma; also in line 24, after "applicable" by inserting a comma;

On page 37, in line 8, by striking the fourth comma; in line 22, by striking "provided"; also in line 22, after the second comma by inserting "but";

On page 39, in line 31, after "commissioner" by inserting a comma;

On page 41, in line 13, after "request" by inserting "authorization"; in line 14, by striking "authorization"; in line 40, by striking the period and inserting a comma;

On page 42, in line 12, after "judgment" by inserting a comma;

On page 43, in line 18, by striking the first comma;

On page 49, in line 6, before "doing" by inserting ": (A)"; in line 7, by striking "and" and inserting "; or

(B)";

Also on page 49, in line 30, after "10" by inserting a comma; also in line 30, after "30" by inserting a comma; in line 39, after "application" by inserting a comma;

On page 51, in line 38, after "location" by inserting a comma;

On page 53, in line 25, by striking ", and" and inserting "or"; in line 27, by striking "and" and inserting "or";

On page 58, in line 4, by striking the third comma;

On page 61, in line 18, by striking "bank's" and inserting "bank";

On page 64, in line 16, after "17-5831" by inserting a comma;

On page 73, in line 5, by striking the fourth comma; in line 7, by striking the fourth comma; in line 21, by striking the fourth comma;

On page 74, in line 35, by striking the semicolon and inserting a comma; in line 36, by striking the semicolon;

On page 77, in line 16, by striking the comma; in line 26, by striking "subsection" and inserting "section";

On page 79, in line 2, by striking the comma; in line 3, by striking the first comma; in line 4, by striking the comma and inserting "and"; in line 11, by striking "or any"; also in line 11, by striking the third comma; in line 17, by striking the second comma; in line 23, by striking the comma;

On page 80, in line 12, by striking the comma; in line 23, by striking the comma; in line 24, by striking the second comma and inserting a period; in line 35, by striking



"except, that" and inserting "but"; in line 41, after "lessees" by inserting a comma;

On page 82, in line 5, by striking "shall not pay" and inserting "has not paid"; in line 13, by striking "shall fail" and inserting "has failed"; in line 21, by striking the first comma;

On page 83, in line 30, by striking all before "notification" and inserting ". Such"; also in line 30, after "notification" by inserting "shall include"; also in line 30, after the comma by inserting "the"; in line 31, by striking the comma;

On page 85, in line 9, after "authority" by inserting a comma; in line 16, after "distribution" by inserting a comma; in line 17, after "corporation" by inserting a comma; in line 19, by striking "pledged to them"; in line 20, after "commissioner" by inserting "pledged to such funds"; in line 40, by striking ", may" and inserting "and"; in line 42, after the first comma by inserting "may"; also in line 42, by striking the second comma;

On page 87, in line 17, by striking the comma; in line 19, after "purpose" by inserting a comma; in line 37, by striking the second comma;

On page 88, in line 27, by striking the third comma; in line 28, by striking all after "state"; in line 29, by striking all before "prior" and inserting a period; in line 30, after the comma by inserting "the commissioner shall"; in line 31, after "amount" by inserting a comma; in line 38, by striking all after "1817"; in line 39, by striking all before "or";

On page 89, in line 2, by striking all after "state"; in line 3, by striking all before "prior" and inserting a period; also in line 3, after the second comma by inserting "the commissioner"; in line 9, by striking ", and amendments thereto,"; in line 20, by striking ", and amendments thereto,"; in line 38, by striking "state bank";

On page 90, in line 25, by striking the second comma; in line 27, by striking the comma; in line 34, by striking the second comma; in line 35, by striking the second comma;

On page 91, in line 16, by striking the comma; in line 36, by striking the comma;

On page 92, in line 13, by striking the comma;

On page 93, in line 31, by striking the second comma; in line 32, by striking the first comma; in line 35, after "agency" by inserting "that is";

On page 95, in line 28, after the second "bank" by inserting a comma; in line 29, by striking the second comma; in line 30, by striking the second "are" and inserting "is"; in line 36, before "organized" by inserting a comma; also in line 36, by striking the second comma; in line 37, by striking "are" and inserting "is"; in line 40, after "(b)" by inserting "(1)"; in line 42, before "preserve" by inserting ": (A)"; in line 43, by striking ", or if the commissioner deems it reasonably required to" and inserting "; or (B)";

On page 96, in line 10, by striking the comma; in line 24, before "Upon" by inserting "Within two weeks of the beginning of each legislative session, the commissioner shall submit to the senate committee on financial institutions and insurance and the house of representatives committee on financial institutions, a written summary of each special order issued during the preceding year.";

On page 98, in line 17, by striking the comma; in line 19, after "acquire" by inserting a comma; in line 20, after "apply" by inserting "in writing"; in line 21, by striking ", in writing,";

On page 100, in line 3, by striking "together" and inserting "along"; also in line 3, after "with" by inserting "any";

On page 103, in line 20, after "hearing" by inserting a comma; in line 22, by striking the comma;

On page 104, in line 7, by striking the comma; in line 17, by striking the comma; in line 36, by striking the comma; in line 43, by striking "a";

On page 105, in line 8, by striking the comma;

On page 108, in line 22, by striking "77-701" and inserting "77-601";

On page 109, in line 31, by striking the second comma;

On page 110, in line 36, after "circumstances" by inserting a comma;

On page 111, in line 12, by striking the comma; in line 21, by striking the comma; in line 35, by striking the comma; in line 36, by striking the comma; in line 38, by striking the comma;

On page 112, in line 24, by striking the first comma; in line 31, by striking the second comma; in line 36, by striking the second comma; in line 37, by striking the first comma; also in line 37, by striking the second comma;

On page 113, in line 2, by striking the comma; in line 7, by striking the comma; in line 11, by striking the second comma; in line 25, by striking the second comma and inserting "or"; in line 35, by striking the second comma; in line 40, after "with" by inserting "the";

On page 114, in line 14, by striking the comma; in line 25, by striking the second comma; in line 32, after "thereof" by inserting a comma;

On page 116, in line 22, after "for" by inserting a comma; also in line 22, after "from" by inserting a comma; in line 23, after "agreement" by inserting a comma; also in line 23, after "provided" by inserting "that"; in line 24, by striking the comma; in line 25, by striking all before "notification" and inserting "and such"; also in line 25, after "notification" by inserting "includes"; also in line 25, after the comma by inserting "the";

On page 117, in line 19, by striking "or"; in line 21, by striking "or"; in line 23, by striking "and which" and inserting "that";

On page 119, in line 11, by striking the comma;

On page 120, in line 1, after "designee" by inserting a comma;

On page 122, in line 21, by striking the comma; in line 28, after "state" by inserting a comma;

On page 126, in line 13, by striking the comma; in line 32, by striking the comma; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2121** be passed.

#### **CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2319** from Committee on Health and Human Services and rereferral to Committee on Taxation.

#### **CHANGE OF CONFEREES**

Speaker Merrick announced the appointment of Reps. Goico, Osterman and Lane to replace Reps. Proehl, Ryckman Sr., and Lusker as conferees on **HB 2006**.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

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## AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**MESSAGES FROM THE SENATE**

The Senate concurs in House amendments to **SB 109**.

Announcing passage of **SB 270, SB 278, SB 288**.

Announcing passage of **HB 2103, HB 2126, HB 2192, HB 2246, HB 2275**.

Announcing passage of **HB 2149**, as amended by **S Sub for HB 2149; HB 2225** as amended by **S Sub for HB 2225; HB 2281** as amended by **S Sub for HB 2281**.

Announcing passage of **HB 2061**, as amended; **HB 2106**, as amended; **HB 2165**, as amended; **HB 2183**, as amended; **HB 2193**, as amended.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 270, SB 278, SB 288**.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2341, SB 76** be passed.

Committee reports to **HB 2233** be adopted; and the bill be passed as amended.

On motion of Rep. McPherson to amend **SB 120**, the motion did not prevail, and the bill be passed.

Committee report to **HB 2240** be adopted; and the bill be passed as amended.

Committee report to **SB 156** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 36** be adopted; and the substitute bill be passed.

Committee report to **SB 189** be adopted; also on motion of Rep. Carlin to amend **SB 189**, Rep. Schwartz requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Carlin and **SB 189** be amended on page 10, following line 17, by inserting:

"Sec. 9. K.S.A. 47-1718 is hereby amended to read as follows: 47-1718. (a) No animal shall be euthanized by any animal control officer, licensee, permittee, officer of an animal shelter or officer of a pound by any means, method, agent or device, or in any way, except through the most current, approved euthanasia methods established by the American veterinary medical association panel on euthanasia, except that the use of carbon monoxide chambers for the purpose of euthanasia of dogs and cats shall not be permitted.

(b) This section shall be part of and supplemental to article 17 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto.";

Also on page 10, in line 18, by striking the first "and" and inserting a comma; also in line 18, after "47-829" by inserting "and 47-1718";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "animal care; relating to"; also in line 1, by striking all after the semicolon; in line 3, after the semicolon by inserting "the Kansas pet animal act; euthanasia;"; also in line 3, by striking the first "and" and inserting a comma; also in line 3, after "47-829" by inserting "and 47-1718" and **SB 189** be passed as amended.

Committee report to **SB 101** be adopted; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Insurance** recommends **SB 117** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 117," as follows:

"House Substitute for SENATE BILL NO. 117

By Committee on Insurance

"AN ACT regulating traffic; relating to transportation network companies, transportation network company services, regulation."; and the substitute bill be passed.

(**H Sub for SB 117** was thereupon introduced and read by title.)

Committee on **Pensions and Benefits** recommends **HB 2253** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2014 Supp. 74-4914 is hereby amended to read as follows: 74-4914. (1) The normal retirement date for a member of the system shall be the first day of the month coinciding with or following termination of employment with any participating employer not followed by employment with any participating employer within 60 days and the attainment of age 65 or, commencing July 1, 1993, age 62 with the completion of 10 years of credited service or the first day of the month coinciding with or following the date that the total of the number of years of credited service and the number of years of attained age of the member is equal to or more than 85. In no event shall a normal retirement date for a member be before six months after the entry date of the participating employer by whom such member is employed. A member may retire on the normal retirement date or on the first day of any month thereafter upon the filing with the office of the retirement system of an application in such form and manner as the board shall prescribe. Nothing herein shall prevent any person, member or retirant from being employed, appointed or elected as an employee, appointee, officer or member of the legislature. Elected officers may retire from the system on any date on or after the attainment of the normal retirement date, but no retirement benefits payable under this act shall be paid until the member has terminated such member's office.

(2) Except as provided in subsection (7), no retirant shall make contributions to the system or receive service credit for any service after the date of retirement.

(3) Any member who is an employee of an affiliating employer pursuant to K.S.A. 74-4954b, and amendments thereto and has not withdrawn such member's accumulated contributions from the Kansas police and firemen's retirement system may retire before such member's normal retirement date on the first day of any month coinciding with or following the attainment of age 55.

(4) Any member may retire before such member's normal retirement date on the first day of any month coinciding with or following termination of employment with any participating employer not followed by employment with any participating employer within 60 days and the attainment of age 55 with the completion of 10 years

of credited service, but in no event before six months after the entry date, upon the filing with the office of the retirement system of an application for retirement in such form and manner as the board shall prescribe.

(5) Except as provided in subsection (7), on or after July 1, 2006, for any retirant who is first employed or appointed in or to any position or office by a participating employer other than a participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation, and, on or after April 1, 2009, for any retirant who is employed by a third-party entity who contracts services with a participating employer other than a participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation to fill a position covered under ~~subsection (a)~~ of K.S.A. 72-5410(a), and amendments thereto, with such retirant, such participating employer shall pay to the system the actuarially determined employer contribution and the statutorily prescribed employee contribution based on the retirant's compensation during any such period of employment or appointment. If a retirant who retired on or after July 1, 1988, is employed or appointed in or to any position or office for which compensation for service is paid in an amount equal to \$20,000 or more in any one such calendar year, by any participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation, and, on or after April 1, 2009, by any third-party entity who contracts services to fill a position covered under ~~subsection (a)~~ of K.S.A. 72-5410(a), and amendments thereto, with such retirant with a participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation, such retirant shall not receive any retirement benefit for any month for which such retirant serves in such position or office. The participating employer who employs such retirant whether by contract directly with the retirant or through an arrangement with a third-party entity shall report to the system within 30 days of when the compensation paid to the retirant is equal to or exceeds any limitation provided by this section. Any participating employer who contracts services with any such third-party entity to fill a position covered under ~~subsection (a)~~ of K.S.A. 72-5410(a), and amendments thereto, shall include in such contract a provision or condition which requires the third-party entity to provide the participating employer with the necessary compensation paid information related to any such position filled by the third-party entity with a retirant to enable the participating employer to comply with provisions of this subsection relating to the payment of contributions and reporting requirements. The provisions and requirements provided for in amendments made in this act which relate to positions filled with a retirant or employment of a retirant by a third-party entity shall not apply to any contract for services entered into prior to April 1, 2009, between a participating employer and third-party entity as described in this subsection. Any retirant employed by a participating employer or a third-party entity as provided in this subsection shall not make contributions nor receive additional credit under such system for such service except as provided by this section. Upon request of the executive director of the system, the secretary of revenue shall provide such information as may be needed by the executive director to carry out the provisions of this act. The provisions of this subsection shall not apply to retirants employed as substitute teachers or officers, employees or appointees of the legislature. The provisions of this subsection shall not apply to members of the legislature prior to January 8, 2000. The provisions of this subsection shall not apply to any other elected

officials prior to the term of office of such elected official which commences on or after July 1, 2000. The provisions of this subsection shall apply to any other elected official on and after the term of office of such other elected official which commences on or after July 1, 2000. Except as otherwise provided, commencing January 8, 2001, the provisions of this subsection shall apply to members of the legislature. For determination of the amount of compensation paid pursuant to this subsection, for members of the legislature, compensation shall include any amount paid as provided pursuant to ~~subsections (a), (b), (c) and (d)~~ of K.S.A. 46-137a(a), (b), (c) and (d), and amendments thereto, or pursuant to K.S.A. 46-137b, and amendments thereto. Notwithstanding any provision of law to the contrary, when a member of the legislature is paid an amount of compensation of \$20,000 or more in any one calendar year, the member may continue to receive any amount provided in ~~subsections (b) and (d)~~ of K.S.A. 46-137a(b) and (d), and amendments thereto, and still be entitled to receive such member's retirement benefit. Commencing July 1, 2005, the provisions of this subsection shall not apply to retirants who either retired under the provisions of subsection (1), or, if they retired under the provisions of subsection (4), were retired more than 30 days prior to the effective date of this act and are licensed professional nurses or licensed practical nurses employed by the state of Kansas in an institution as defined in ~~subsection (b)~~ of K.S.A. 76-12a01(b) or ~~subsection (f)~~ of K.S.A. 38-2302(f), and amendments thereto, the Kansas soldiers' home or the Kansas veterans' home. Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation during any such period of employment.

(6) For purposes of this section, any employee of a local governmental unit which has its own pension plan who becomes an employee of a participating employer as a result of a merger or consolidation of services provided by local governmental units, which occurred on January 1, 1994, may count service with such local governmental unit in determining whether such employee has met the years of credited service requirements contained in this section.

(7) (a) Except as provided in K.S.A. 74-4937(3) and (4), and amendments thereto, and the provisions of this subsection, commencing July 1, 2016, and ending June 30, 2017, for any retirant who is first employed or appointed in or to any position covered under K.S.A. 74-4902(14) or 74-4932(4), and amendments thereto, by a participating employer, without any prearranged agreement with such participating employer and not prior to 60 days after such retirant's retirement date, such retirant shall have such retirant's retirement benefit suspended pursuant to this subsection. In such case, such retirant shall once again become an active and vested member of the system under and subject to the provisions of K.S.A. 74-49,301, and amendments thereto, unless specifically provided under the provisions of this subsection.

(b) The provisions of this subsection shall not apply to retirants that are employed as:

(i) Licensed professional nurses or licensed practical nurses employed by the state of Kansas in an institution as defined in K.S.A. 76-12a01(b) or 38-2302(f), and amendments thereto, the Kansas soldiers' home or the Kansas veterans' home;

(ii) employed by a school district in a position as provided in K.S.A. 74-4937(3) or

(4), and amendments thereto:

(iii) employed or appointed in or to any position not covered under K.S.A. 74-4902(14) or 74-4932(4), and amendments thereto, who is paid an amount that is less than \$20,000 in calendar year 2016 or 2017. Any such retiree who is employed or appointed in or to any position or office for which compensation for service is paid in an amount equal to \$20,000 or more in any one such calendar year, by any participating employer for which such retiree was employed or appointed and, by any third-party entity who contracts services to fill a position, such retiree shall not receive any retirement benefit for any month for which such retiree serves in such position or office. The participating employer who employs such retiree whether by contract directly with the retiree or through an arrangement with a third-party entity shall report to the system within 30 days of when the compensation paid to the retiree is equal to or exceeds any limitation provided by this section. Any participating employer who contracts services with any such third-party entity to fill a position shall include in such contract a provision or condition which requires the third-party entity to provide the participating employer with the necessary compensation paid information related to any such position filled by the third-party entity with a retiree to enable the participating employer to comply with provisions of this subsection relating to the payment of contributions and reporting requirements; or

(iv) any retiree who is employed by a third-party entity who contracts services with a participating employer to fill a position that would otherwise be a position covered under K.S.A. 74-4902(14) or 74-4932(4), and amendments thereto. Such participating employer shall pay to the system the actuarially determined employer contribution and the statutorily prescribed employee contribution based on the retiree's compensation during any such period of employment or appointment. The participating employer who employs such retiree whether by contract directly with the retiree or through an arrangement with a third-party entity shall report to the system within 30 days of when the compensation paid to the retiree is equal to or exceeds any limitation provided by this section. Any participating employer who contracts services with any such third-party entity to fill a position covered under K.S.A. 72-5410(a), and amendments thereto, shall include in such contract a provision or condition which requires the third-party entity to provide the participating employer with the necessary compensation paid information related to any such position filled by the third-party entity with a retiree to enable the participating employer to comply with provisions of this subsection relating to the payment of contributions and reporting requirements.

(c) Existing service credit of a retiree who becomes a member of the system pursuant to this subsection shall be used to determine the retiree's employer credits for the retiree's retirement annuity account pursuant to K.S.A. 74-49,307, and amendments thereto.

(d) (1) Each retiree who becomes a member of the system pursuant to this subsection shall make member contributions as required pursuant to K.S.A. 74-49,305, and amendments thereto, which shall be credited to the retiree's annuity savings account pursuant to K.S.A. 74-49,306, and amendments thereto.

(2) The participating employer of a retiree who becomes a member of the system pursuant to this subsection shall pay to the system employer contributions as provided in K.S.A. 74-4920, and amendments thereto.

(e) Any retiree who becomes a member of the system pursuant to this subsection



may take a partial or full lump-sum payment of the balance in the retirant's annuity savings account and retirement annuity account upon leaving employment. If the retirant has a minimum account balance of \$6,000, including both employee contributions and employer pay credits and interest credits, less any lump-sum payment, the retirant shall receive an annuity based on the balance in the retirant's annuity savings account pursuant to K.S.A. 74-49,311 and 74-49,313, and amendments thereto.

(f) A retirant who becomes a member of the system pursuant to this subsection shall not be eligible for any purchases of service credit pursuant to K.S.A. 74-4919a, and amendments thereto, nor the plan of long-term disability benefits pursuant to K.S.A. 74-4927, and amendments thereto. Such retirant shall be eligible for the plan of death benefits pursuant to K.S.A. 74-4927, and amendments thereto.

(g) All benefits payable under the provisions of this subsection are subject to the provisions of K.S.A. 74-49,123, and amendments thereto.

(h) Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature.":

Also on page 1, in line 31, after "(3)" by inserting "(a)"; also in line 31, by striking "Commencing July 1, 2009" and inserting "Before July 1, 2016";

On page 2, in line 22, after the period by inserting:

"(b) On and after July 1, 2016, the provisions of K.S.A. 74-4914(5) and (7), and amendments thereto, shall not apply to retirants who either retired under the provisions of K.S.A. 74-4914(1), and amendments thereto, related to normal retirement, or, if they retired under the provisions of K.S.A. 74-4914(4), and amendments thereto, related to early retirement, were retired more than 60 days prior to the effective date of this act, and are subsequently hired without any prearranged agreement with such participating employer prior to retirement, in a position as a special teacher as defined in K.S.A. 72-962, and amendments thereto. The provisions of this subsection do not apply to retirants who retired under K.S.A. 74-4914(4), and amendments thereto, which relates to early retirement prior to age 62. Except as otherwise provided, when a retirant is employed by the same school district or a different school district with which such retirant was employed during the final two years of such retirant's participation or employed by a third-party entity who contracts services with a school district to fill a special teacher position, the retirant hired may continue to receive such retirant's full retirement benefit and shall not be subject to the provisions of K.S.A. 74-4914(5) which relate to an earnings limitation which when met or exceeded requires that the retirant not receive a retirement benefit for any month for which such retirant serves in a position described herein. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation during any such period of employment plus 8%. The provisions of this subsection shall not apply to retirants employed as substitute teachers. The provisions of K.S.A. 74-4914(5), and amendments thereto, shall be applicable to retirants employed as special teachers, except as specifically provided in this subsection. Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature.

(c)";

Also on page 2, following line 26, by inserting:

"(4) (a) On and after July 1, 2016, a school district may hire a retired licensed



professional to fill a non-special teacher position if such retirant has been retired more than 60 days prior to the effective date of this act, and if such school district submits a request to the state board of education, on a form provided by the state board of education, along with a certified report from the school board of such school district that details all of the efforts taken by the school district to fill such non-special teacher position with a non-retired, licensed replacement. Such certified report shall include:

- (i) The date the vacant position was posted internally and externally;
- (ii) the number of applications received;
- (iii) the number and dates of any interviews conducted;
- (iv) the specific reason that non-retired applicants did not meet the requirements for the open position, as compared to the retirant the school district proposes to hire; and
- (v) a certification that there was no prearranged agreement between the participating employer and the retirant the school district proposes to hire.

(b) The state board of education shall review each request and certified report and, upon determining that the certified report meets the criteria of this subsection, shall approve the request of the school district to hire the retirant specified in such request. If such certified report does not meet the criteria of this subsection, the state board of education shall deny such request.

(c) If the school district's request is approved by the state board of education, such school district may hire the retirant specified in the request for a period not to exceed one school year. A retirant hired under the provisions of this subsection may continue to receive such retirant's full retirement benefit and shall not be subject to the provisions of K.S.A. 74-4914(5), and amendments thereto, which relate to an earnings limitation which when met or exceeded requires that the retirant not receive a retirement benefit for any month for which such retirant serves in a position as described herein. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation during any such period of employment plus 8%. The provisions of this subsection shall not apply to retirants employed as substitute teachers. The provisions of K.S.A. 74-4914(5), and amendments thereto, shall be applicable to retirants employed as described in this subsection, except as specifically provided in this subsection. Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature. The provisions of K.S.A. 74-4914(7), and amendments thereto, shall not apply to retirants employed pursuant to the provisions of this subsection.

(d) The department of education shall submit a report to the legislature and to the joint committee on pensions, investments and benefits at the beginning of the regular session of the legislature in 2018. The report shall include, by each school district, the number of requests to hire retirants submitted to the state board of education, the number of retirants hired and the positions for which such retirants were hired pursuant to the provisions of this subsection.

(e) The provisions of this subsection shall expire on July 1, 2017.

Sec. 3. K.S.A. 2014 Supp. 74-49,301 is hereby amended to read as follows: 74-49,301. (a) The provisions of K.S.A. 2014 Supp. 74-49,301 through 74-49,318, and amendments thereto, shall be known and may be cited as the Kansas public employees retirement system act of 2015.

(b) Any employee who is first employed by a participating employer on or after

January 1, 2015, shall be a member of the system under the provisions of this act on the first day of employment of such employee with such participating employer.

(c) (1) Any non-vested employee other than an elected official of a participating employer who has been employed in a covered position as defined in K.S.A. 2014 Supp. 74-49,202, and amendments thereto, other than with a school employer, shall remain a member of the Kansas public employees retirement system as provided pursuant to K.S.A. 74-4901 et seq., and amendments thereto, on and after July 1, 2009, if the member: (A) Does not leave covered employment with a participating employer for a period of time exceeding 30 consecutive days; (B) does not withdraw such member's annuity savings account as defined by K.S.A. 74-49,302, and amendments thereto, forfeiting such member's membership in the interim; and (C) returns to covered employment with a participating employer in a covered position within such 30-day time period.

(2) Any non-vested employee other than an elected official of a participating employer who has been employed in a covered position with a participating school employer, shall remain a member of the Kansas public employees retirement system as provided pursuant to K.S.A. 74-4901 et seq., and amendments thereto, if the member: (A) Was employed in a covered position with a participating school employer for the duration of the school year and immediately returns to covered employment with another participating school employer at the beginning of the following school year; and (B) does not withdraw such member's annuity savings account as defined by K.S.A. 74-49,302, and amendments thereto, forfeiting such member's membership in the interim.

(d) This act does not apply to members of the Kansas police and firemen's retirement system, K.S.A. 74-4951 et seq., and amendments thereto, the retirement system for judges, K.S.A. 20-2601 et seq., and amendments thereto, and security officers as provided in K.S.A. 74-4914a, and amendments thereto.

(e) Except as provided in K.S.A. 74-4914(7), and amendments thereto, a system member may not simultaneously be a member of the pre-2015 plan and the plan established pursuant to this act. A period of service may not be credited in more than one retirement plan within the system.

(f) The board of trustees of the Kansas public employees retirement system shall administer the provisions of this act in the same manner as the board administers the provisions of K.S.A. 74-4901 et seq., and amendments thereto, except as specifically provided in this act.

(g) Unless specifically provided in this act, the provisions of K.S.A. 74-4901 et seq., and amendments thereto, shall be applicable to this act. In an event that a conflict exists between the provisions of this act and the provisions of K.S.A. 74-4901 et seq., and amendments thereto, the provisions of this act shall control, and to that end, no legal or contractual rights shall inure to the benefit of members or participating employers under this act with regard to the provisions of K.S.A. 74-4901 et seq., and amendments thereto, when the provisions of this act control.

(h) Each participating employer as provided in this act and each employee as defined by this act shall be subject to the provisions of this act as specified in this act and subject to the provisions of K.S.A. 74-4901 et seq., and amendments thereto, as appropriate as to terms, conditions and requirements not specifically covered in this act. The provisions of this act shall not apply to members of the Kansas public employees

retirement system as provided in K.S.A. 74-4901 et seq., and 74-49,201 et seq., and amendments thereto, first employed by a participating employer prior to January 1, 2015, unless otherwise provided in this act.

(i) The provisions of this act shall be part of and supplemental to the provisions of K.S.A. 74-4901 et seq., and amendments thereto, subject to the limitations contained in this act.;

Also on page 2, in line 27, after "Supp." by inserting "74-4914, "; also in line 27, by striking "is" and inserting "and 74-49,301 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after the second "retirement"; in line 3, by striking all before "special" and inserting a semicolon; also in line 3, after "provisions" by inserting "for certain retirants employed as teachers"; in line 4, after "Supp." by inserting "74-4914, "; also in line 4, after "74-4937" by inserting "and 74-49,301" also in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

#### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2010** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2025** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2364** and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2006** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2044** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2090** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2231** and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

#### REPORT ON ENGROSSED BILLS

**HB 2112** reported correctly engrossed March 24, 2015.

#### REPORT ON ENROLLED BILLS

**HB 2023, HB 2066, HB 2085, HB 2267** reported correctly enrolled, properly signed and presented to the Governor on March 24, 2015.

On motion of Rep. Vickrey, the House adjourned until 8:30 a.m., Wednesday, March 25, 2015.

# Journal of the House

FORTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 25, 2015, 8:30 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 124 members present.

Rep. Kelley was excused on excused absence by the Speaker.

Present later: Rep. Kelley.

Prayer by guest chaplain, Sean A. Phillips, Chaplain (Major), US Army, First Infantry Division, Fort Riley:

As your faith permits, I invite you to pray with me. Almighty God, my heart is filled with gratitude for this opportunity to call upon you while representing this humble, yet august gathering of legislators. While we who bravely fight and decisively win our nation's battles do so in austere conditions, these men and women labor no less bravely under conditions few dare to engage.

Their responsibilities seem enormous to me – to discern right from wrong and good from evil, bringing a sense of fairness and justice to nearly three million Kansans. Their task is to make Kansas the best state in the nation to call home. So I humbly ask for personal courage to step boldly into their various roles; for harmony in their families and relationships as they endure the stressors of public service; and for constituents who support their noble efforts.

Walk closely with them today, O God. May we all know your loving presence, for in these tasks there is no mission too difficult and no sacrifice too great. Amen.

The Pledge of Allegiance was led by Rep. Doll.

## PERSONAL PRIVILEGE

Reps. Carlin and Lusker rose on a point of personal privilege to request consent of the body to change their votes on **SB 154** from aye to nay (see House Journal, page 504). Their requests were granted. The final vote has therefore been corrected and the vote tally is 97-28.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Federal and State Affairs: **SB 278**.

Taxation: **SB 270**.

Transportation: **SB 288**.

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 31, SB 63, SB 64, SB 271, SB 280, SB 290**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 31, SB 63, SB 64, SB 271, SB 280, SB 290**.

**CONSENT CALENDAR**

No objection was made to **SB 8** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 8**, AN ACT concerning school district performance audits; amending K.S.A. 2014 Supp. 46-1226 and repealing the existing section; also repealing K.S.A. 2014 Supp. 46-1130 and 46-1132, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooper, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kelley.

The bill passed.

**HB 2233**, AN ACT concerning utilities; relating to electric generating units and carbon dioxide emission standards; concerning the establishment of state performance

standards; state corporation commission; secretary of health and environment; amending K.S.A. 2014 Supp. 65-3031 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Henderson, Lane.

Present but not voting: None.

Absent or not voting: Kelley.

The bill passed, as amended.

**HB 2240**, AN ACT concerning taxation; relating to the board of tax appeals; small claims and expedited hearing division, hearing officers; members, qualifications and salary; amending K.S.A. 2014 Supp. 74-2433, 74-2433f and 74-2434 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**HB 2341**, AN ACT concerning wildlife; relating to seizure of wildlife; disposal; amending K.S.A. 2014 Supp. 32-1047 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 43; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carmichael, B. Carpenter, Claeys, Concannon, Corbet, Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Ewy, Francis, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lane, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Vickrey, Waymaster, Whipple, Whitmer, Williams.

Nays: Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, W. Carpenter, Clark, Clayton, Curtis, Dierks, Doll, Finch, Finney, Frownfelter, Gallagher, Gonzalez, Henderson, Henry, Highberger, Hill, Hineman, Houston, Jennings, Kiegerl, Kuether, Lewis, Lusk, Lusker, Moxley, Ousley, Rooker, Ruiz, Sloan, Tietze, Todd, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2391**, AN ACT concerning state employees; relating to classified and unclassified service; amending K.S.A. 2014 Supp. 75-2935 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 51; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Barker, Barton, Becker, Billinger, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Phillips, Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Anthimides, Ballard, Boldra, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Ewy, Finch, Finney, Frownfelter, Gallagher, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutchins, Jennings, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Pauls, Proehl, Rooker, Ruiz, Sawyer, Sloan, Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

## EXPLANATIONS OF VOTE

MR. SPEAKER: I am voting no on **HB 2391** because the state of Kansas cannot afford the consequences. Several of the grants the state receives from the federal government require the state employees administering them to be classified. Declassifying such employees risks losing vitally necessary federal funds during a time when Kansas is facing one the largest budget deficits in its history. — PONKA-WE VICTORS, JOHN ALCALA, BRODERICK HENDERSON

MR. SPEAKER: It is with great certainty that I vote NO on HB 2391. The needs of Kansans are not partisan, and its employment practices shouldn't be either. By nature, classified employees are insulated from partisan and political pressures. Changing their classified status removes such protections and risks reverting state employment practices to a political patronage system rather than a merit-based system. The state deserves the best possible employees, regardless of their political affiliation or beliefs.-- TOM SAWYER, STAN FROWNVELTER, ED TRIMMER, KATHY WOLFE MOORE, PAM CURTIS, JOHN WILSON, BARBARA BALLARD, TOM BURROUGHS

MR. SPEAKER: A hundred years ago the Republican Party led the campaign to eradicate corruption, cronyism, nepotism and favoritism from state employment and fought for a merit-based civil service system. Today we take the first step in dismantling the legacy of honest, open government that has been left to us by our predecessors. I regret that we have taken one more step in our long march back to the nineteenth century. I vote no on **HB 2391**. — DENNIS “BOOG” HIGHBERGER, JIM WARD, CAROLYN BRIDGES, JOHN CARMICHAEL, JARROD OUSLEY

MR. SPEAKER: The conversion from classified to unclassified positions in the Regents system took place on each campus independently after the employees had months to deliberate and then vote on whether their campus would make the change. As the effects of these changes have been evaluated reviews are mixed but encouraging. HB2391 takes a different approach to conversion which I believe is heavy handed and basically unfair. At a time when we should be affirming dedicated state employees this bill does the opposite. I vote no on **HB 2391**. — DON HILL

**H Sub for SB 36**, AN ACT concerning the department of health and environment; creating the local conservation lending program, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick,



Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

**SB 76**, AN ACT concerning insurance; relating to assessments; enacting the risk management and own risk and solvency assessment act; sanctions, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: McPherson, Sutton.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**SB 101**, AN ACT concerning insurance; relating to the health care provider insurance availability act; definitions; self-insurance; health care systems; amending K.S.A. 2014 Supp. 40-3401 and 40-3414 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton,

Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**SB 120**, AN ACT concerning wildlife, parks and tourism; relating to land purchases; amending K.S.A. 2014 Supp. 32-833 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 27; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, W. Carpenter, Claey's, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lewis, Lusk, Lusker, Mast, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Seiwert, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Campbell, B. Carpenter, Corbet, DeGraaf, Garber, Grosserode, Highberger, Highland, Hildabrand, Houser, Hutchins, K. Jones, Kelley, Kiegerl, Lunn, Macheers, Mason, McPherson, Ousley, Peck, Powell, Rhoades, Schwab, Sloan, Sutton, Todd, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**SB 156**, AN ACT concerning the department of agriculture; relating to water conservation areas; agricultural liming materials; the Arkansas river gaging fund; amending K.S.A. 2-2907 and K.S.A. 2014 Supp. 2-2903 and 74-5,133 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode,

Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**SB 189**, AN ACT concerning animal care; relating to the Kansas veterinary practice act; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia; amending K.S.A. 47-815, 47-817, 47-829 and 47-1718 and K.S.A. 2014 Supp. 47-822, 47-830 and 76-4,112 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 13; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, DeGraaf, Garber, K. Jones, Kahrs, Macheers, McPherson, Peck, Powell, Rhoades, Rubin, Scapa, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Rhoades, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2074** be passed.

On motion of Rep. Bollier to amend **SB 95**, the motion did not prevail; and the bill be passed..

On motion of Rep. Sloan to amend **HB 2088**, Rep. Hemsley requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Scapa to amend **HB 2088**, Rep. Hildabrand requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Scapa, and **HB 2088** be amended on page 1, following line 34, by inserting:

"New Sec. 2. (a) No form of powdered alcohol shall be sold or offered for sale by any person licensed under the Kansas liquor control act.

(b) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 3. K.S.A. 2014 Supp. 41-102 is hereby amended to read as follows: 41-102. As used in this act, unless the context clearly requires otherwise:

(a) "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever its origin, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

(b) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being, but shall not include any cereal malt beverage.

(c) "Beer" means a beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water and includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content.

(d) "Caterer" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

(e) "Cereal malt beverage" has the meaning provided by K.S.A. 41-2701, and amendments thereto.

(f) "Club" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

(g) "Director" means the director of alcoholic beverage control of the department of revenue.

(h) "Distributor" means the person importing or causing to be imported into the state, or purchasing or causing to be purchased within the state, alcoholic liquor for sale or resale to retailers licensed under this act or cereal malt beverage for sale or resale to retailers licensed under K.S.A. 41-2702, and amendments thereto.

(i) "Domestic beer" means beer which contains not more than 10% alcohol by weight and which is manufactured in this state.

(j) "Domestic fortified wine" means wine which contains more than 14%, but not more than 20% alcohol by volume and which is manufactured in this state.

(k) "Domestic table wine" means wine which contains not more than 14% alcohol by volume and which is manufactured without rectification or fortification in this state.

(l) "Drinking establishment" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

(m) "Farm winery" means a winery licensed by the director to manufacture, store and sell domestic table wine and domestic fortified wine.

(n) "Manufacture" means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with any alcoholic liquor, beer or cereal

malt beverage.

(o) (1) "Manufacturer" means every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or cereal malt beverage.

(2) "Manufacturer" does not include a microbrewery, microdistillery or a farm winery.

(p) "Microbrewery" means a brewery licensed by the director to manufacture, store and sell domestic beer.

(q) "Microdistillery" means a facility which produces spirits from any source or substance that is licensed by the director to manufacture, store and sell spirits.

(r) "Minor" means any person under 21 years of age.

(s) "Nonbeverage user" means any manufacturer of any of the products set forth and described in K.S.A. 41-501, and amendments thereto, when the products contain alcohol or wine, and all laboratories using alcohol for nonbeverage purposes.

(t) "Original package" means any bottle, flask, jug, can, cask, barrel, keg, hogshead or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor. Original container does not include a sleeve.

(u) "Person" means any natural person, corporation, partnership, trust or association.

(v) "Powdered alcohol" means alcohol that is prepared in a powdered or crystal form for either direct use or for reconstitution in a nonalcoholic liquid.

~~(w)~~ (w) "Primary American source of supply" means the manufacturer, the owner of alcoholic liquor at the time it becomes a marketable product or the manufacturer's or owner's exclusive agent who, if the alcoholic liquor cannot be secured directly from such manufacturer or owner by American wholesalers, is the source closest to such manufacturer or owner in the channel of commerce from which the product can be secured by American wholesalers.

~~(x)~~ (x) (1) "Retailer" means a person who sells at retail, or offers for sale at retail, alcoholic liquors.

(2) "Retailer" does not include a microbrewery, microdistillery or a farm winery.

~~(y)~~ (y) "Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration and includes all sales made by any person, whether principal, proprietor, agent, servant or employee.

~~(z)~~ (z) "Salesperson" means any natural person who:

(1) Procures or seeks to procure an order, bargain, contract or agreement for the sale of alcoholic liquor or cereal malt beverage; or

(2) is engaged in promoting the sale of alcoholic liquor or cereal malt beverage, or in promoting the business of any person, firm or corporation engaged in the manufacturing and selling of alcoholic liquor or cereal malt beverage, whether the seller resides within the state of Kansas and sells to licensed buyers within the state of Kansas, or whether the seller resides without the state of Kansas and sells to licensed buyers within the state of Kansas.

~~(aa)~~ (aa) "Secretary" means the secretary of revenue.

~~(bb)~~ (bb) (1) "Sell at retail" and "sale at retail" refer to and mean sales for use or consumption and not for resale in any form and sales to clubs, licensed drinking

establishments, licensed caterers or holders of temporary permits.

(2) "Sell at retail" and "sale at retail" do not refer to or mean sales by a distributor, a microbrewery, a farm winery, a licensed club, a licensed drinking establishment, a licensed caterer or a holder of a temporary permit.

~~(bb)~~ (cc) "To sell" includes to solicit or receive an order for, to keep or expose for sale and to keep with intent to sell.

~~(ee)~~ (dd) "Sleeve" means a package of two or more 50-milliliter (3.2-fluid-ounce) containers of spirits.

~~(dd)~~ (ee) "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

~~(ee)~~ (ff) "Supplier" means a manufacturer of alcoholic liquor or cereal malt beverage or an agent of such manufacturer, other than a salesperson.

~~(ff)~~ (gg) "Temporary permit" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

~~(gg)~~ (hh) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including such beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies.

Sec. 4. K.S.A. 2014 Supp. 41-2640 is hereby amended to read as follows: 41-2640.

(a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder;

(3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club;

(4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes;

(5) sell, offer to sell or serve free of charge any form of powdered alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

~~(5)~~ (6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through ~~(4)~~ (5).

(b) No public venue, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person a drink or original container of alcoholic liquor or cereal malt beverage at a price that is less than the acquisition cost of the drink or original container of alcoholic liquor or cereal malt beverage to the licensee;

(3) sell or serve alcoholic liquor in glass containers to customers in the general admission area;

(4) sell or serve more than two drinks per customer at any one time in the general admission area;

(5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of drinks as prizes;

(6) sell, offer to sell or serve free of charge any form of powdered alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

~~(6)~~ (7) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (b)(1) through ~~(5)~~ (6).

(c) A public venue club, drinking establishment, caterer or holder of a temporary permit may:

- (1) Offer free food or entertainment at any time;
- (2) sell or deliver wine by the bottle or carafe;
- (3) sell, offer to sell and serve individual drinks at different prices throughout any day;
- (4) sell or serve beer or cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces;
- (5) offer samples of alcohol liquor free of charge as authorized by this act; or
- (6) sell or serve margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages as approved by the director in a pitcher containing not more than 64 fluid ounces.

(d) A hotel of which the entire premises is licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, distribute to its guests coupons redeemable on the hotel premises for drinks containing alcoholic liquor. The hotel shall remit liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto, on each drink served based on a price which is not less than the acquisition cost of the drink.

(e) A hotel of which the entire premises is not licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, through an agreement with one or more clubs or drinking establishments, distribute to its guests coupons redeemable at such clubs or drinking establishments for drinks containing alcoholic liquor. Each club or drinking establishment redeeming coupons issued by a hotel shall collect from the hotel the agreed price, which shall be not less than the acquisition cost of the drink plus the liquor drink tax for each drink served. The club or drinking establishment shall collect and remit the liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto.

(f) Violation of any provision of this section is a misdemeanor punishable as provided by K.S.A. 41-2633, and amendments thereto.

(g) Violation of any provision of this section shall be grounds for suspension or revocation of the licensee's license as provided by K.S.A. 41-2609, and amendments thereto, and for imposition of a civil fine on the licensee or temporary permit holder as provided by K.S.A. 41-2633a, and amendments thereto.";

Also on page 1, in line 35, by striking "is" and inserting "and K.S.A. 2014 Supp. 41-102 and 41-2640 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "relating to sales of powdered alcohol;"; also in line 2, after "41-106" by inserting "and K.S.A. 2014 Supp. 41-102 and 41-2640"; in line 3, by striking "section" and inserting "sections";

Also, on motion of Rep. Todd, **HB 2088** be amended on page 1, in line 10, by striking "licensee's agent or employee" and inserting "a person in charge of the licensed premises"; in line 17, by striking all after the first "or"; in line 18, by striking "employee" and inserting "a person in charge of the licensed premises"; in line 25, after "licensee" by inserting "or a person in charge of the licensed premises";

Also on page 1, following line 34, by inserting:

"(e) For purposes of this section, the term "person in charge" means any individual or employee present on the licensed premises at the time of the alleged violation who is responsible for the operation of the licensed premises. If no designated individual or employee is a person in charge, then any employee present is the person in charge."; and **HB 2088** be passed as amended.

Committee report to **HB 2087** be adopted; and the bill be passed as amended.

Committee report to **SB 45** be adopted; also, on motion of Rep. Curtis to amend **SB 45**, the motion did not prevail.

Also, on motion of Rep. Wilson to amend **SB 45**, Rep. Brunk requested a ruling on the amendment being germane to the bill. The Rules Vice Chair ruled the amendment not germane.

Also, roll call was demanded on motion of Rep. Wilson to amend **SB 45** on page 2, in line 25, before "in" by inserting "by a person who holds a valid license issued under the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto, or holds a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto,";

On page 5, in line 41, by striking "is"; in line 43, by striking "not";

On page 6, in line 1, by striking all before the period and inserting "holds a valid license issued under the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto, or holds a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto";

On page 7, in line 6, by striking "if"; in line 7, by striking all before the comma; in line 8, before the semicolon by inserting ", if such person is:

(A) Under 21 years of age; or

(B) not carrying a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto";

On page 8, following line 24, by inserting:

"(d) Subsection (a)(4) shall not apply to:

(1) Watchmen, while actually engaged in the performance of the duties of their employment;

(2) licensed hunters or fishermen, while engaged in hunting or fishing;

(3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

(4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment;

(5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments



thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto;

(6) special deputy sheriffs described in K.S.A. 19-827, and amendments thereto, who have satisfactorily completed the basic course of instruction required for permanent appointment as a part-time law enforcement officer under K.S.A. 74-5607a, and amendments thereto;

(7) the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 2014 Supp. 75-7c19, and amendments thereto;

(8) any law enforcement officer, as that term is defined in K.S.A. 2014 Supp. 75-7c22, and amendments thereto, who satisfies the requirements of K.S.A. 2014 Supp. 75-7c22(a) or (b), and amendments thereto; or

(9) any person carrying a concealed handgun as authorized by K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto.";

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

On page 11, in line 25, before the semicolon by inserting ". The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 2014 Supp. 75-7c19, and amendments thereto"; in line 30, by striking all after "handgun"; by striking all in line 31; in line 32, by striking all before the period and inserting "as authorized under the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto";

On page 13, in line 12, by striking "(3)"; following line 15, by inserting:

"(3) any person who holds a valid license issued under the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto, or holds a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto"; in line 16, before "any" by inserting "(4)" in line 19, by striking "(4)" and inserting "(5)"; in line 36, after the period by inserting "Except as otherwise provided by law,";

On page 14, in line 4, before the period by inserting ". At all times when an individual is in actual possession of a concealed handgun, the individual shall carry either a valid license issued under this act or a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto";

On page 21, in line 24, before "to" by inserting "who holds a valid license issued under this act or holds a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto,";

On page 22, in line 13, before the period by inserting ". The provisions of this paragraph shall not apply to any person who is not in compliance with K.S.A. 2014 Supp. 75-7c19, and amendments thereto";

On page 23, following line 40, by inserting:

"Sec. 13. K.S.A. 2014 Supp. 75-7c19 is hereby amended to read as follows: 75-7c19. Any person not subject to the provisions of ~~subsection (a)~~ of K.S.A. 21-4201(a), prior to its repeal, or ~~subsections (a)(1) through (a)(6)~~ of K.S.A. 2014 Supp. 21-6301(a) (1) through (a)(6) or ~~subsections (a)(1) through (a)(5)~~ of K.S.A. 2014 Supp. 21-6302(a) (1) through (a)(5), and amendments thereto, under the authority of ~~paragraph (7) of subsection (c)~~ of K.S.A. 21-4201(c)(7), prior to its repeal, or ~~subsection (d)(7)~~ of K.S.A. 2014 Supp. 21-6302(d)(7), and amendments thereto, shall ~~obtain at their own expense, and maintain a license to carry concealed handguns as authorized by K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto.~~ In addition, such person shall complete a handgun training course as determined by the director of police training of the law enforcement training center.";

On page 24, in line 11, before "from" by inserting "who holds a valid license issued under this act or holds a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto," in line 18, before "has" by inserting "who holds a valid license issued under this act or holds a document evidencing satisfactory completion of an approved handgun safety and training course as specified in K.S.A. 2014 Supp. 75-7c04(b), and amendments thereto,"

On page 26, by striking all in line 43.

On page 27, by striking all in line 1; in line 2, by striking all before the period and inserting "in accordance with the provisions of K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "75-7c17," by inserting "75-7c19,"; in line 5, by striking all after "sections"; in line 6, by striking all before the period;

On roll call, the vote was: Yeas 22; Nays 86; Present but not voting: 0; Absent or not voting: 17.

Yeas: Ballard, Bollier, Burroughs, Carmichael, Curtis, Finney, Henderson, Henry, Highberger, Houston, Kuether, Ousley, Ruiz, Schroeder, Swanson, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Nays: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clayton, Concannon, Corbet, Davis, DeGraaf, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Hildabrand, Hineman, Houser, Huebert, Hutchins, Hutton, Jennings, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whipple, Williams.

Present but not voting: None.

Absent or not voting: Carlin, Clark, Dierks, Goico, Highland, Hill, Hoffman, Johnson, Kelley, Lusk, Moxley, Patton, Peck, Ryckman, Seiwert, Sloan, Whitmer.

The motion of Rep. Wilson did not prevail.

Also, on motion of Rep. Ballard to amend **SB 45**, Rep. Brunk requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment

germane.

The question reverted back to the motion of Rep. Ballard to amend **SB 45** on page 27, following line 11, by inserting:

"New Sec. 15. (a) Sections 15 through 20 shall be known and may be cited as the gun violence restraining order act.

(b) As used in the gun violence restraining order act:

(1) "Gun seizure warrant" means a court order regarding a person who is subject to a gun violence restraining order and who is known to own or possess one or more firearms, rifles or shotguns that directs a law enforcement officer to seize any firearms, rifles or shotguns in the possession of the person and to bring the unloaded firearms, rifles or shotguns before the judge issuing the order; and

(2) "gun violence restraining order" means a court order prohibiting a person from purchasing, owning, possessing or controlling a firearm, rifle or shotgun for a period of up to one year.

New Sec. 16. (a) Any person may file a petition with the court setting forth the facts and circumstances necessitating the issuance of a gun violence restraining order. The court may prescribe the manner and form of the petition. A gun violence restraining order shall be issued to prohibit a person from possessing a firearm, rifle or shotgun if an affidavit, signed by the petitioner under oath, and any additional information provided to the court demonstrates to the satisfaction of the court that the person poses a significant risk of personal injury to himself or others by possessing a firearm, rifle or shotgun.

(b) In determining whether to issue a gun violence restraining order, the court may examine under oath the petitioner and any witnesses the petitioner produces. In determining whether grounds for a gun violence restraining order exists, the court shall consider all of the following:

- (1) Any recent threat or act of violence by the person directed toward others;
- (2) any recent threat or act of violence by the person directed toward himself;
- (3) any recent violation of a restraining order; and
- (4) any conviction for a crime involving a weapon under the Kansas criminal code.

(c) In determining whether grounds for a gun violence restraining order exists, the court may consider any of the following:

- (1) The reckless use, display or brandishing of a firearm, rifle or shotgun by the person;
- (2) the history of use, attempted use or threatened use of physical force by the person against another person;
- (3) any prior arrest of the person for a felony offense;
- (4) any history of a violation by the person of a protection order issued under the protection from abuse act, K.S.A. 60-3101 et seq., and amendments thereto;
- (5) evidence of recent or ongoing abuse of alcohol or a controlled substance or controlled substance analog, as such terms are defined in K.S.A. 2014 Supp. 21-5701, and amendments thereto; or
- (6) evidence of recent acquisition of a firearm, rifle, shotgun or other deadly weapon.

(d) The affidavit shall set forth the facts establishing the grounds of the petition or probable cause for believing that such grounds exist. In lieu of a written affidavit, the

court may take an oral statement under oath. If the court finds that the grounds of the petition exist or that there is probable cause to believe in its existence, the court shall issue a gun violence restraining order.

- (e) A gun violence restraining order shall include:
  - (1) A statement of the grounds asserted for the order;
  - (2) the date and time the order expires;
  - (3) the address of the court for the county in which the restrained party resides;
- and
  - (4) a statement to the restrained person stating:
    - (A) The time and date that the order expires;
    - (B) that the person shall not own, possess, purchase or receive or attempt to purchase or receive a firearm, rifle or shotgun while such order is in effect;
    - (C) that the person is entitled to submit one written request for a hearing at any time during the effective period of the order for an order permitting the person to own, possess, purchase, or receive a firearm, rifle or shotgun;
    - (D) that the person may seek legal advice from an attorney as to any matter connected with the order; and
    - (E) that if legal advice is sought, the attorney should be consulted promptly so that the attorney may assist the person in any matter connected with the order.
  - (f) When serving a gun violence restraining order, the law enforcement officer shall inform the person that such person may submit one written request for a hearing pursuant to section 18, and amendments thereto, at any time during the effective period of the order and provide such person with a form to request the hearing.

New Sec. 17. (a) If there is probable cause to believe that a person who has been issued a gun violence restraining order possesses or owns a firearm, rifle or shotgun, the court shall issue a gun seizure warrant to the appropriate law enforcement officer directing the officer to seize any specified firearm, rifle or shotgun and to retain such firearm, rifle or shotgun subject to the order of the court. A gun seizure warrant shall be issued upon probable cause, supported by an affidavit, naming or describing with reasonable specificity the facts and circumstances justifying the court order and listing any firearm, rifle or shotgun to be seized under the court order. A firearm, rifle or shotgun described in the gun seizure warrant may be taken from any place or from any person in whose possession the firearm, rifle or shotgun may be.

(b) When a law enforcement officer takes property under a gun seizure warrant, the officer shall give a receipt for the property taken, specifying such property in detail, to the person from whom the property was taken. In the absence of such person, the officer shall leave the receipt in the place where the property was found. If the location to be searched during the execution of a gun seizure warrant is jointly occupied by multiple parties, and a firearm, rifle or shotgun located during the execution of a gun seizure warrant is owned by a person other than the person in the gun seizure warrant, the firearm, rifle or shotgun shall not be seized if such firearm, rifle or shotgun is stored in a manner such that the person named in the gun seizure warrant does not have access to or control of the firearm, rifle or shotgun, and there is no evidence of unlawful possession of the firearm, rifle or shotgun by the owner.

(c) If the location to be searched during the execution of a gun seizure warrant is jointly occupied by multiple parties, and a gun safe owned by a person other than the person named in the gun seizure warrant is located therein, the contents of the gun safe

shall not be searched, except in the owner's presence or with the owner's consent, or unless a valid search warrant has been obtained.

New Sec. 18. (a) Except as provided in subsection (c), no later than 14 days after the execution of a gun violence restraining order and a gun seizure warrant, if applicable, the court that issued the gun violence restraining order and gun seizure warrant shall hold a hearing to determine whether the person who is the subject of the order may possess, own, purchase or receive a firearm, rifle or shotgun and, when applicable, whether a seized firearm, rifle or shotgun shall be returned to the person named in the warrant.

(b) At the hearing, the state shall have the burden of proving by clear and convincing evidence that the person poses a significant risk of personal injury to themselves or others by owning or possessing a firearm, rifle or shotgun. If, at the hearing, the person is found to pose a significant risk of personal injury to themselves or others by purchasing, owning, possessing or controlling a firearm, rifle or shotgun, such firearm, rifle or shotgun seized under the gun seizure warrant shall be retained by the law enforcement agency for a period not to exceed one year. The person shall be prohibited from purchasing, owning, possessing or controlling a firearm, rifle or shotgun for a period not to exceed one year. If the court finds that the state has not met the required standard of proof, the firearm, rifle or shotgun seized under the gun seizure warrant shall be returned to the person. If the person is prohibited by law from purchasing, owning, possessing or controlling a firearm, rifle or shotgun for a period of one year or more by any other provision of state or federal law, a hearing under this section shall not be required and the court shall issue an order to hold the firearm, rifle or shotgun until either the person is no longer prohibited from owning a firearm, rifle or shotgun or the law enforcement agency disposes of the firearm, rifle or shotgun to a properly licensed federal firearms dealer. If any other person claims title to a firearm, rifle or shotgun seized under the gun seizure warrant, the firearm, rifle or shotgun shall be returned to the lawful owner.

(c) A person who is the subject of a court order under this section may submit one written request at any time during the effective period of the order for a hearing for an order permitting the person to possess, own, purchase or receive a firearm, rifle or shotgun. The request shall be submitted in a form and manner as prescribed by the court.

New Sec. 19. (a) If a law enforcement agency has probable cause to believe that a person subject to a gun violence restraining order continues to pose a significant risk of personal injury to themselves or others by purchasing, owning, possessing or controlling a firearm, rifle or shotgun, the law enforcement agency may initiate a request for a renewal of the order, setting forth the facts and circumstances necessitating the request. The request shall be submitted in a form and manner as prescribed by the court.

(b) A hearing held under this section shall be held in the same court that issued the initial order to determine if a request for renewal of the order shall be issued. The person named in the gun violence restraining order shall be given written notice and an opportunity to be heard.

(c) The court may, upon its own motion or upon request of another person, issue a renewal of a gun violence restraining order when there is probable cause to believe that a person subject to the order continues to pose a significant risk of personal injury to themselves or others by purchasing, owning, possessing or controlling a firearm, rifle or

shotgun after written notice to the person named in the restraining order and after the person was given an opportunity for a hearing.

New Sec. 20. (a) When a law enforcement officer is at the scene of a domestic violence incident involving a threat to human life or a physical assault, is serving a protection from abuse order issued under the protection from abuse act, K.S.A. 60-3101 et seq., and amendments thereto, or is serving a gun violence restraining order under the gun violence restraining order act, section 15 et seq., and amendments thereto, such officer shall take temporary custody of any firearm or other deadly weapon in plain sight or discovered under a consensual or other lawful search as necessary for the protection of the law enforcement officer or other persons present if the law enforcement officer has probable cause to believe that an act of domestic violence has occurred.

(b) If a firearm or other deadly weapon is removed from the scene under subsection (a), the law enforcement officer shall:

(1) Provide to the owner of the firearm or other deadly weapon information on the process for retaking possession of the firearm or other deadly weapon; and

(2) provide for the safe storage of the firearm or other deadly weapon during the pendency of any proceeding related to the alleged act of domestic violence.

(c) Within 14 days of the conclusion of a proceeding on the alleged act of domestic violence, the owner of the firearm or other deadly weapon may retake possession of the firearm or other deadly weapon unless otherwise ordered under law to surrender the firearm or other deadly weapon.

Sec. 21. K.S.A. 2014 Supp. 21-6303 is hereby amended to read as follows: 21-6303. (a) Criminal distribution of firearms to a felon is knowingly:

(1) Selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of a felony, other than those specified in subsection (c), under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was not found to have been in possession of a firearm at the time of the commission of the felony;

(2) selling, giving or otherwise transferring any firearm to any person who, within the preceding 10 years, has been convicted of a felony to which this subsection applies, but was not found to have been in possession of a firearm at the time of the commission of the felony, or has been released from imprisonment for such a felony, and has not had the conviction of such felony expunged or been pardoned for such felony; or

(3) selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the felony.

(b) Criminal distribution of firearms to a domestic batterer is knowingly:

(1) Selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of domestic battery pursuant to K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2014 Supp. 21-5414, and amendments thereto, or a similar law in any other jurisdiction, or any crime with a domestic violence designation on the criminal case and the defendant was subject to the provisions of K.S.A. 2014 Supp. 21-6604(p), and amendments thereto, or has been released from imprisonment for such crime, and has not had the conviction of such crime expunged or been pardoned for such crime; or

(2) selling, giving or otherwise transferring any firearm to any person who is subject to an unexpired protection from abuse order issued pursuant to the protection from abuse act, K.S.A. 60-3101 et seq., and amendments thereto, or a similar law in any other jurisdiction, if such order was issued after a hearing of which the person received proper notice and an opportunity to be heard.

(c) (1) Criminal distribution of firearms to a felon is a class A nonperson misdemeanor.

(2) Criminal distribution of firearms to a domestic batterer is a class A nonperson misdemeanor.

~~(e)~~ (d) Subsection (a)(2) shall apply to a felony under K.S.A. 2014 Supp. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, ~~subsection (b) or (d) of 21-5412(b) or (d), subsection (b) or (d) of 21-5413(b) or (d), subsection (a) or (b) of 21-5415(a) or (b), subsection (b) of 21-5420(b), 21-5503, subsection (b) of 21-5504(b), subsection (b) of 21-5505(b), and subsection (b) of 21-5807(b),~~ and amendments thereto, K.S.A. 2014 Supp. 21-5705 or 21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.

~~(d)~~ (c) It is not a defense that the distributor did not know or have reason to know:

- (1) The precise felony the recipient committed;
- (2) that the recipient was in possession of a firearm at the time of the commission of the recipient's prior felony; ~~or~~
- (3) that the convictions for such felony have not been expunged or pardoned; ~~or~~
- (4) that the protection from abuse order had not yet expired or been dismissed by the court.

New Sec. 22. (a) Criminal possession of a firearm by a domestic batterer is possession of any firearm by a person who:

(1) Within the preceding five years, has been convicted of domestic battery pursuant to K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2014 Supp. 21-5414, and amendments thereto, or a similar law in any other jurisdiction, or any crime with a domestic violence designation on the criminal case and the defendant was subject to the provisions of K.S.A. 2014 Supp. 21-6604(p), and amendments thereto, or has been released from imprisonment for such crime, and has not had the conviction of such crime expunged or been pardoned for such crime; or

(2) is subject to an unexpired protection from abuse order issued pursuant to the protection from abuse act, K.S.A. 60-3101 et seq., and amendments thereto, or a similar law in any other jurisdiction, if such order was issued after a hearing of which the person received proper notice and an opportunity to be heard.

(b) Criminal possession of a firearm by a domestic batterer is a severity level 8, nonperson felony.

(c) This section shall be part of and supplemental to the Kansas criminal code.

Sec. 23. K.S.A. 2014 Supp. 60-3107 is hereby amended to read as follows: 60-3107. (a) The court may approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children or grant any of the following orders:

(1) Restraining the defendant from abusing, molesting or interfering with the privacy or rights of the plaintiff or of any minor children of the parties. Such order shall



contain a statement that if such order is violated, such violation may constitute assault as defined in ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5412(a), and amendments thereto, battery as defined in ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5413(a), and amendments thereto, domestic battery as defined in K.S.A. 2014 Supp. 21-5414, and amendments thereto, and violation of a protective order as defined in K.S.A. 2014 Supp. 21-5924, and amendments thereto.

(2) Granting possession of the residence or household to the plaintiff to the exclusion of the defendant, and further restraining the defendant from entering or remaining upon or in such residence or household, subject to the limitation of subsection (d). Such order shall contain a statement that if such order is violated, such violation shall constitute criminal trespass as defined in ~~subsection (a)(1)(C)~~ of K.S.A. 2014 Supp. 21-5808(a)(1)(C), and amendments thereto, and violation of a protective order as defined in K.S.A. 2014 Supp. 21-5924, and amendments thereto. The court may grant an order, which shall expire 60 days following the date of issuance, restraining the defendant from cancelling utility service to the residence or household.

(3) Requiring defendant to provide suitable, alternate housing for the plaintiff and any minor children of the parties.

(4) Awarding temporary custody and residency and establishing temporary parenting time with regard to minor children.

(5) Ordering a law enforcement officer to evict the defendant from the residence or household.

(6) Ordering support payments by a party for the support of a party's minor child, if the party is the father or mother of the child, or the plaintiff, if the plaintiff is married to the defendant. Such support orders shall remain in effect until modified or dismissed by the court or until expiration and shall be for a fixed period of time not to exceed one year. On the motion of the plaintiff, the court may extend the effect of such order for 12 months.

(7) Awarding costs and attorney fees to either party.

(8) Making provision for the possession of personal property of the parties and ordering a law enforcement officer to assist in securing possession of that property, if necessary.

(9) Requiring any person against whom an order is issued to seek counseling to aid in the cessation of abuse.

(10) Ordering or restraining any other acts deemed necessary to promote the safety of the plaintiff or of any minor children of the parties.

(b) No protection from abuse order shall be entered against the plaintiff unless:

(1) The defendant properly files a written cross or counter petition seeking such a protection order;

(2) the plaintiff had reasonable notice of the written cross or counter petition by personal service as provided in ~~subsection (d)~~ of K.S.A. 60-3104(d), and amendments thereto; and

(3) the issuing court made specific findings of abuse against both the plaintiff and the defendant and determined that both parties acted primarily as aggressors and neither party acted primarily in self-defense.

(c) Any order entered under the protection from abuse act shall not be subject to modification on ex parte application or on motion for temporary orders in any action filed pursuant to K.S.A. 60-1601 et seq., prior to their transfer or repeal, or article 22 or



27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 38-1101 et seq., and amendments thereto. Orders previously issued in an action filed pursuant to K.S.A. 60-1601 et seq., prior to their transfer or repeal, or article 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 38-1101 et seq., and amendments thereto, shall be subject to modification under the protection from abuse act only as to those matters subject to modification by the terms of K.S.A. 2014 Supp. 23-3201 through 23-3207 and 23-3218 and article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and on sworn testimony to support a showing of good cause. Immediate and present danger of abuse to the plaintiff or minor children shall constitute good cause. If an action is filed pursuant to K.S.A. 2014 Supp. 23-3201 through 23-3207 or 23-3218 or article 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, during the pendency of a proceeding filed under the protection from abuse act or while an order issued under the protection from abuse act is in effect, the court, on final hearing or on agreement of the parties, may issue final orders authorized by K.S.A. 2014 Supp. 23-3201 through 23-3207 and 23-3218 and articles 22 and 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, that are inconsistent with orders entered under the protection from abuse act. Any inconsistent order entered pursuant to this subsection shall be specific in its terms, reference the protection from abuse order and parts thereof being modified and a copy thereof shall be filed in both actions. The court shall consider whether the actions should be consolidated in accordance with K.S.A. 60-242, and amendments thereto. Any custody or parenting time order, or order relating to the best interests of a child, issued pursuant to the revised Kansas code for care of children or the revised Kansas juvenile justice code, shall be binding and shall take precedence over any such custody or parenting order involving the same child issued under the protection from abuse act, until jurisdiction under the revised Kansas code for care of children or the revised Kansas juvenile justice code is terminated. Any inconsistent custody or parenting order issued in the revised Kansas code for care of children case or the revised Kansas juvenile justice code case shall be specific in its terms, reference any preexisting protection from abuse order and the custody being modified, and a copy of such order shall be filed in the preexisting protection from abuse case.

(d) If the parties to an action under the protection from abuse act are not married to each other and one party owns the residence or household, the court shall not have the authority to grant possession of the residence or household under subsection (a)(2) to the exclusion of the party who owns it.

(e) Subject to the provisions of subsections (b), (c) and (d), a protective order or approved consent agreement shall remain in effect until modified or dismissed by the court and shall be for a fixed period of time not to exceed one year, except as provided in subsection (e)(1) and (e)(2).

(1) Upon motion of the plaintiff, such period may be extended for one additional year.

(2) Upon verified motion of the plaintiff and after the defendant has been personally served with a copy of the motion and has had an opportunity to present evidence and cross-examine witnesses at a hearing on the motion, if the court determines by a preponderance of the evidence that the defendant has violated a valid protection order or (A) has previously violated a valid protection order, or (B) has been convicted of a person felony or any conspiracy, criminal solicitation or attempt thereof,

under the laws of Kansas or the laws of any other jurisdiction which are substantially similar to such person felony, committed against the plaintiff or any member of the plaintiff's household, the court shall extend a protective order for not less than two additional years and may extend the protective order up to the lifetime of the defendant. No service fee shall be required for a motion filed pursuant to this subsection.

(f) The court may amend its order or agreement at any time upon motion filed by either party.

(g) Any order entered under the protection from abuse act shall include notice to the defendant that section 16, and amendments thereto, prohibits the defendant from possession of a firearm for the duration of the protective order.

~~(g)~~ (h) No order or agreement under the protection from abuse act shall in any manner affect title to any real property.

~~(h)~~ (i) If a person enters or remains on premises or property violating an order issued pursuant to subsection (a)(2), such violation shall constitute criminal trespass as defined in ~~subsection (a)(1)(C) of~~ K.S.A. 2014 Supp. 21-5808(a)(1)(C), and amendments thereto, and violation of a protective order as defined in K.S.A. 2014 Supp. 21-5924, and amendments thereto. If a person abuses, molests or interferes with the privacy or rights of another violating an order issued pursuant to subsection (a)(1), such violation may constitute assault as defined in ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5412(a), and amendments thereto, battery as defined in ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5413(a), and amendments thereto, domestic battery as defined in K.S.A. 2014 Supp. 21-5414, and amendments thereto, and violation of a protective order as defined in K.S.A. 2014 Supp. 21-5924, and amendments thereto.";

Also on page 27, in line 12, after the third comma by inserting "21-6303,"; in line 13, after the second comma by inserting "60-3107,";

And by renumbering sections accordingly:

On page 1, in the title, in line 1, by striking "carrying of concealed" and inserting "possession of"; in line 2, by striking "; relating to the personal and family protection act"; in line 3, after the third comma, by inserting "21-6303," in line 4, after the first comma, by inserting "60-3107,";

Roll call was demanded.

On roll call, the vote was: Yeas 40; Nays 83; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Clayton, Curtis, Dierks, Finney, Frownfelter, Gallagher, Gonzalez, Henderson, Henry, Highberger, Hill, Houston, Kiegerl, Kleeb, Kuether, Lane, Lusk, Lusker, Ousley, Rooker, Ruiz, Sawyer, Sloan, Swanson, Tietze, Todd, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Garber, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Thompson, Vickrey, Waymaster,

Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Goico, Scapa.

The motion of Rep. Ballard did not prevail; and **SB 45** be passed as amended.

On motion of Rep. Sloan to amend **SB 252**, Rep. Finch requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane.

The question reverted back to the motion of Rep. Sloan and **SB 252** be amended (see further action, page 546) on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2014 Supp. 21-5510 is hereby amended to read as follows: 21-5510. (a) Sexual exploitation of a child is engaging in any of the following acts with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person:

(1) Employing, using, persuading, inducing, enticing or coercing a child under 18 years of age, or a person whom the offender believes to be a child under 18 years of age, to engage in sexually explicit conduct with the intent to promote any performance;

(2) possessing any visual depiction of a child under 18 years of age shown or heard engaging in sexually explicit conduct ~~with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person;~~

(3) being a parent, guardian or other person having custody or control of a child under 18 years of age and knowingly permitting such child to engage in, or assist another to engage in, sexually explicit conduct for any purpose described in subsection (a)(1) or (a)(2); or

(4) promoting any performance that includes sexually explicit conduct by a child under 18 years of age, or a person whom the offender believes to be a child under 18 years of age, knowing the character and content of the performance.

(b) (1) Sexual exploitation of a child as defined in:

(A) Subsection (a)(2) or (a)(3) is a severity level 5, person felony; and

(B) subsection (a)(1) or (a)(4) is a severity level 5, person felony, except as provided in subsection (b)(2).

(2) Sexual exploitation of a child as defined in subsection (a)(1) or (a)(4) or attempt, conspiracy or criminal solicitation to commit sexual exploitation of a child as defined in subsection (a)(1) or (a)(4) is an off-grid person felony, when the offender is 18 years of age or older and the child is under 14 years of age.

(c) If the offender is 18 years of age or older and the child is under 14 years of age, the provisions of:

(1) ~~Subsection (e) of~~ K.S.A. 2014 Supp. 21-5301(c), and amendments thereto, shall not apply to a violation of attempting to commit the crime of sexual exploitation of a child as defined in subsection (a)(1) or (a)(4);

(2) ~~subsection (e) of~~ K.S.A. 2014 Supp. 21-5302(c), and amendments thereto, shall not apply to a violation of conspiracy to commit the crime of sexual exploitation of a child as defined in subsection (a)(1) or (a)(4); and

(3) ~~subsection (d) of~~ K.S.A. 2014 Supp. 21-5303(d), and amendments thereto, shall not apply to a violation of criminal solicitation to commit the crime of sexual exploitation of a child as defined in subsection (a)(1) or (a)(4).

(d) As used in this section:

(1) "Sexually explicit conduct" means actual or simulated: Exhibition in the nude; appearance in the nude, with or without the knowledge of the child; sexual intercourse

or sodomy, including genital-genital, oral-genital, anal-genital or oral-anal contact, whether between persons of the same or opposite sex; masturbation; ~~sado-masochistic~~ sadomasochistic abuse with the intent of sexual stimulation; or lewd exhibition of the genitals, female breasts or pubic area of any person;

(2) "promoting" means procuring, transmitting, distributing, circulating, presenting, producing, directing, manufacturing, issuing, publishing, displaying, exhibiting or advertising;

~~(A) For pecuniary profit; or~~

~~(B) with intent to arouse or gratify the sexual desire or appeal to the prurient interest of the offender or any other person;~~

(3) "performance" means any film, photograph, negative, slide, book, magazine or other printed or visual medium, any audio tape recording or any photocopy, video tape, video laser disk, computer hardware, software, floppy disk or any other computer related equipment or computer generated image that contains or incorporates in any manner any film, photograph, negative, photocopy, video tape or video laser disk or any play or other live presentation;

(4) "nude" means any state of undress in which the human genitals, pubic region, buttock or female breast, at a point below the top of the areola, is less than completely and opaquely covered; and

(5) "visual depiction" means any photograph, film, video picture, digital or computer-generated image or picture, whether made or produced by electronic, mechanical or other means.";

On page 2, in line 8, after "Supp." by inserting "21-5510 and"; also in line 8, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "sexual exploitation of a child;"; in line 2, after "Supp." by inserting "21-5510 and"; in line 3, by striking "section" and inserting "sections";

Having voted on the prevailing side, Rep. Rubin offered a motion to reconsider the adoption of the Sloan amendment (see previous action, page 545). The motion prevailed. The question reverted back to the motion of Rep. Sloan.

Roll call was demanded.

On roll call, the vote was: Yeas 61; Nays 62; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Grosserode, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houston, Huebert, Jennings, Kelly, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Patton, Phillips, Proehl, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Swanson, Thompson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Corbet, Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Highland, Hoffman, Houser, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab,

Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Vickrey, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Bruchman, Kleeb.

The motion of Rep. Sloan did not prevail.

Also, on motion of Rep. Carlin to amend **SB 252**, Rep. Gonzalez requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed.

Committee report to **SB 52** be adopted; and the bill be passed as amended.

Committee report to **HB 2395** be adopted; also, on motion of Rep. Brunk to amend, the motion was withdrawn; and the bill be passed as amended.

Committee reports to **HB 2095** be adopted; also, on motion of Rep. Lunn to amend, Rep. Ward requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

Committee report to **SB 240** be adopted; also, on motion of Rep. DeGraaf be amended on page 14, in line 10, after the second "deposit" by inserting "that"; also in line 10, by striking "that"; in line 12, by striking "that"; in line 14, by striking "that"; in line 17, by striking "that"; in line 20, by striking "that";

On page 38, in line 6, by striking the first comma; and **SB 240** be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 117** be adopted; also, on motion of Rep. Gonzalez to amend **H Sub for SB 117**, the motion did not prevail.

Also, on motion of Rep. Proehl, **H Sub for SB 117** be amended on page 6, in line 22, by striking "and"; in line 24, after "individual" by inserting "; and

(4) require the individual, if such individual's personal vehicle is subject to a lien, to provide proof of comprehensive and collision insurance coverage for such personal vehicle that covers the period when the individual is logged on to a TNC's digital network but not engaged in a prearranged ride and when the individual is engaged in a prearranged ride to the lien holder of such personal vehicle and to the TNC";

Also, on motion of Rep. Grosserode to amend **H Sub for SB 117**, Rep. DeGraaf offered a motion to refer the bill to Committee on Appropriations. The motion did not prevail.

The question referred back to the motion of Rep. Grosserode to amend, which did not prevail; and **H Sub for SB 117** be passed as amended.

## INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey pursuant to House Rule 2311, **SB 95, HB 2088, HB 2074, HB 2087, SB 45, SB 252, SB 52, HB 2395, HB 2095, SB 240, H Sub for SB 117** were advanced to Final Action on Bills and Concurrent Resolutions.

**SB 95**, AN ACT concerning abortion; creating the Kansas unborn child protection from dismemberment abortion act, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 26; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode,

Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Waymaster, Whipple, Whitmer, Williams, Wolfe Moore.

Nays: Ballard, Bollier, Bridges, Carlin, Carmichael, Clayton, Curtis, Dierks, Finney, Gallagher, Henderson, Highberger, Hill, Houston, Kuether, Lane, Lusk, Ousley, Rooker, Ruiz, Sloan, Tietze, Victors, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **SB 95**. Our focus on abortion today and over the past decade is the wrong focus. We need to put our time, energy, and focus on preventing unintended pregnancies. A focus on abortion is easy. A focus on prevention is harder – but worth it. What would the state look like if the same groups pushing this bill directed their time, talent, money and members towards policies that are proven to reduce unintended pregnancies and policies that give kids what they need to become happy, healthy, and successful adults. – JOHN WILSON

MR. SPEAKER: I vote yes on **SB 95**. However, to be frank, it leaves a foul smell in my nostrils, a bitter taste in my mouth and a queasy feeling in my stomach. I object to only passing incremental legislation which sends a subliminal message, that it is okay to kill an unborn human being, just don't do it this way. I look forward to the day we end the killing of the unborn and appeal to all pro-life organizations to either support a PERSONHOOD constitutional amendment or at the least remain neutral as other pro-lifers attempt to end abortion. – RANDY GARBER, PETE DEGRAAF, KEVIN JONES, VIRGIL PECK, JR., TONY BARTON, MIKE KIEGERL, RANDY POWELL, JOHN BRADFORD, WILLIE DOVE

MR. SPEAKER: Abortion is a legal medical procedure in Kansas with the intent that it be well-regulated and safe. **SB 95** takes away a physician's right to choose what is often deemed the safest procedure to terminate a pregnancy during the second trimester. Putting a woman at risk for infection, uterine rupture, and possible death is a tragic overreach in an attempt to impose one moral ideology on all women. As a physician, I vote NO on **SB 95**. – BARBARA BOLLIER

MR. SPEAKER: Kansas already has the most restrictive policies on abortions, and this bill would further regulate a woman's right to make independent decisions about her body. I am voting NO on **SB 95** because it places unnecessary constraints on women's healthcare, and limits a doctor's ability to provide safe abortions. By prohibiting this procedure, Kansas will remove a scientifically proven means of terminating a pregnancy that are proven to be one of the safest options for women. – CAROLYN BRIDGES

MR. SPEAKER: Abortion is a choice best made between a woman, her doctor, and her

God. I am voting NO on SB 95 because it unnecessarily places the government between a woman and her right to make an independent healthcare decision. I am also gravely concerned about the consequences of the bill because there are no exceptions for rape and incest. It is for these reasons that I vote NO on **SB 95**. – GAIL FINNEY, HAROLD LANE, JARROD OUSLEY, PONKA-WE VICTORS

MR. SPEAKER: **SB 95** establishes a dangerous legal precedent in the state of Kansas, and therefore I am voting NO. The bill risks unnecessarily criminalizing Kansas healthcare providers and exposing them to baseless or politically motivated prosecution. This bill also raises serious constitutional concerns and will likely be challenged, forcing the state to spend hundreds of thousands of dollars in court costs. In a time when Kansas faces a several million dollar revenue shortfall taxpayers need us to prioritize fiscal solutions, rather than exposing the state to the legal consequences of this bill. – TOM SAWYER, BARBARA BALLARD, BRODERICK HENDERSON, DENNIS “BOOG” HIGHBERGER, RODERICK HOUSTON, SYDNEY CARLIN, PAM CURTIS, LOUIS RUIZ

Mr. Speaker: Yesterday, we talked about the horrible method of putting animals down with carbon dioxide. Some of the animals cry, cough, and bleed. We heard it is “inhumane”. Today I have to ask is it “humane” to rip apart babies? Jeremiah 1:5 says, “Before I formed you in the womb I knew you.” We have heard very little about the babies. And that is what they are, “babies”. I want to speak for the babies today. I voted and supported SB 95, but we should also be working to protect all “little persons” and pass a personhood amendment to our constitution. – Joseph B. Scapa

**HB 2088**, AN ACT concerning alcoholic beverages; relating to the issuance of citations for statutory violations; relating to sales of powdered alcohol; amending K.S.A. 41-106 and K.S.A. 2014 Supp. 41-102 and 41-2640 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 12; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Couture-Lovelady, Carmichael, Corbet, Edmonds, Grosserode, Hildabrand, Houser, Lane, McPherson, Schwab, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.



**HB 2074**, AN ACT concerning firearms; relating to the possession of firearms; amending K.S.A. 2014 Supp. 75-7c04 and 75-7c17 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6309, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Carlin, Henderson, Kuether, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**HB 2087**, AN ACT concerning firearms; relating to the sale of firearms; amending K.S.A. 2014 Supp. 12-16,124 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 24; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Gallagher, Henderson, Highberger, Houston, Kuether, Lane, Ousley, Rooker, Ruiz, Tietze, Trimmer, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.



## EXPLANATION OF VOTE

Mr. Speaker: I vote no on **HB 2087** because the bill is poorly drawn and arguably allows Federal Firearm Licensees to disregard laws applicable to other businesses, such as zoning laws. I support neither favoritism towards, nor discrimination against, gun dealers and believe they should be subject to the same laws applicable to any other business. I therefore reluctantly vote no on **HB 2087**. – JOHN CARMICHAEL

**SB 45**, AN ACT concerning firearms; relating to the carrying of concealed firearms; relating to the personal and family protection act; amending K.S.A. 2014 Supp. 21-5914, 21-6301, 21-6302, 21-6308, 21-6309, 32-1002, 75-7c01, 75-7c03, 75-7c04, 75-7c05, 75-7c10, 75-7c17, 75-7c20 and 75-7c21 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 75-7c19, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 39; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Lewis, Lunn, Lusker, Macheers, Mason, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whipple, Whitmer, Williams.

Nays: Ballard, Barker, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Dierks, Finney, Gallagher, Henderson, Henry, Highberger, Hill, Houston, Kiegerl, Kleeb, Kuether, Lane, Lusk, Mast, Moxley, Ousley, Phillips, Rooker, Ruiz, Schroeder, Sloan, Smith, Swanson, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

## EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **SB 45** because as a gun owner, and concealed carry permit holder, I strongly support the right to keep and bear arms; but rights carry responsibilities, the responsibility to learn and practice gun safety and to learn and know the laws regarding use of deadly force. The bill endangers Kansas law enforcement officers who in the dark of night, often alone, confront armed individuals with concealed weapons. Without a concealed carry permit officers must treat these individuals as criminals until proven otherwise. Because the bill endangers the public safety I vote no on **SB 45**. – JOHN CARMICHAEL

MR. SPEAKER: I vote no on **SB 45**, not because I believe most gun owners are a risk to society, but because the training currently required to receive a concealed carry permit prepares people to safely handle their weapon, especially in a crisis situation; educates

about existing self-defense laws; and permits law enforcement officers to add an additional charge against criminals. I supported unsuccessful amendments to reduce the cost of permits, thereby encouraging more people to take the training, and, with a court order, for law enforcement officers to temporarily remove firearms from suicidal persons and persons threatening violence against another. – TOM SLOAN, BARBARA BOLLIER, MELISSA ROOKER, STEPHANIE CLAYTON, DON HILL, TOM MOXLEY, SUSIE SWANSON, LINDA GALLAGHER

MR. SPEAKER: I vote NO on **SB 45** because concealed carry licenses ensure that certain core public safety standards are preserved when people are carrying hidden, loaded guns in public places. Local law enforcement officials have urged this body to oppose the measure because it eliminates such standards and allows almost anyone to carry a concealed gun. The current licensing process is responsible public policy that provides the necessary training and background checks—we should not abolish it. – HAROLD LANE, TOM BURROUGHS, MIKE KIEGERL

MR. SPEAKER: I'm voting NO on **SB 45** because it dismantles Kansas' permit requirement for concealed carry. As a proponent of the Second Amendment I am in favor of common sense gun laws, but allowing anyone to carry a gun without adequate training or a background check threatens the safety of our communities. **SB 45** would weaken restrictions on who can carry a concealed, loaded gun under Kansas law—to include people with criminal histories and people who have never handled a handgun before. Removing permit requirements is bad public policy, and I do not support it. – ED TRIMMER, VALDENIA WINN, ANNIE TIETZE, GAIL FINNEY, BRODERICK HENDERSON, CAROLYN BRIDGES, SYDNEY CARLIN, JARROD OUSLEY, PAM CURTIS

MR. SPEAKER: I vote no on **SB 45** because this bill goes too far and too fast in removing important and well-considered concealed carry gun policies. I hope we will join West Virginia, Minnesota, Mississippi & Utah in rejecting this type of bill. It will allow people who have never handled a gun before to carry hidden, loaded firearms in public without any training or background check. Supporting the second amendment isn't enough. We must commit to preventing gun violence and promoting gun safety—issues on which we should all be able to agree. – JOHN WILSON

MR. SPEAKER: As legislators, we have taken an oath to uphold the constitution of Kansas and the United States. **SB 45** helps to re-align our constitutional rights to keep and bear arms, a right that is not to be infringed. Unfortunately, we have become conditioned to accept licensing, fees, mandatory classes, and other such restrictions. Government must trust law abiding and responsible citizens. This right does carry great personal responsibility. My strong exhortation to those choosing to exercise this right is to responsibly learn how to use this tool when availing yourself of your constitutional right to keep and bear arms. I vote yes on **SB 45**. – STEVEN R. BRUNK, JOSEPH SCAPA

MR. SPEAKER: My vote in opposition to **SB 45** is not a vote against the second amendment. It is a vote in support of our law enforcement and the job they do. I respect their willingness to protect and to serve. The second amendment deals with a well-regulated militia as well as the right to bear arms. I believe having sensible

regulations to carry concealed gives a little more safety to our law enforcement who are willing to put their life on the line for others. They deserve our respect. I vote no on **SB 45**. – PEGGY MAST

MR. SPEAKER: I vote no on **SB 45** because as a gun owner, and concealed carry permit holder, I strongly support the right to keep and bear arms; but rights carry responsibilities, the responsibility to learn and practice gun safety and to learn and know the laws regarding use of deadly force. The bill endangers Kansas law enforcement officers who in the dark of night, often alone, confront armed individuals with concealed weapons. Without a concealed carry permit officers must treat these individuals as criminals until proven otherwise. Because the bill endangers the public safety, I vote no on **SB 45**. – CHUCK SMITH

MR. SPEAKER: In 2010, voters overwhelmingly underscored the basic personal unalienable right guaranteed under the state and federal constitutions, that individuals have the right to bear arms for the defense of self, family, home and state and any other lawful purpose. Law abiding Kansans should not require permission from their government to exercise this Constitutional freedom. Government must trust its citizens to exercise personal responsibility while Kansans that choose to carry concealed without a license are accountable for their actions. I vote yes on **SB 45**. – MARK A. KAHR

MR. SPEAKER: I vote yes on **SB 45**. Law-abiding citizens who carry firearms are exercising their constitutional right to bear arms and their natural right to defend themselves and their families. In 2006, Kansas passed Conceal and Carry and our citizens have proven trustworthy with no incidences related to this legislation. In addition, the empirical evidence provided by other states with either no training or limited training requirements indicates similar success. Therefore Kansans, like numerous other states' citizenry, are both ready and capable of responsibly handling the benefits provided by Constitutional Carry. – KRISTEY WILLIAMS, STEVEN ANTHIMIDES

**SB 252**, AN ACT concerning crimes and punishment; relating to unlawful abuse of toxic vapors; amending K.S.A. 2014 Supp. 21-5712 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab,

Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed.

**SB 52**, AN ACT concerning water; relating to the diversion of water; chief engineer; multi-year flex accounts; local enhanced management areas; amending K.S.A. 82a-706b and K.S.A. 2014 Supp. 82a-708c, 82a-736 and 82a-1041 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2395**, AN ACT concerning state building projects; relating to negotiating committees; relating to the alternative procurement; amending K.S.A. 2014 Supp. 75-1253 and repealing the existing sections section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien,

Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Burroughs, Carlin, Carmichael, Ward.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**HB 2095**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERS; requirements and procedures; employer contribution rates; amending K.S.A. 2014 Supp. 74-4914d and 74-4920 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 67; Nays 57; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, W. Carpenter, Claeys, Concannon, Corbet, Davis, Dove, Edmonds, Esau, Estes, Ewy, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Huebert, Hutchins, Hutton, Johnson, D. Jones, Kelly, Kiegerl, KleeB, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Powell, Proehl, Read, Rubin, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcala, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Curtis, DeGraaf, Dierks, Doll, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houser, Houston, Jennings, K. Jones, Kahrs, Kelley, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Peck, Phillips, Rhoades, Rooker, Ruiz, Scapa, Schroeder, Sloan, Smith, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **HB 2095**. Borrowing and creating new debt to cover old debt is not fiscally responsible and does not resolve the state's systemic revenue problem. Inevitably Kansas will have to invest more money to meet its obligations to future retirees. Additionally, lowering the actuarial liability threatens the solvency of the system. It is time that Kansas makes common sense fiscal policies a priority and it starts by voting against **HB 2095**. – SYDNEY CARLIN, BRODERICK HENDERSON, CAROLYN BRIDGES, LOUIS RUIZ.

MR. SPEAKER: I vote NO on **HB 2095** because it will cause long term damage to KPERS. Issuing bonds to cover such a large debt makes as much financial sense as

using one credit card to pay off another. This will help cover the budget deficit in the short term, but eventually the debt will have to be paid off with interest. Kansas' public employees deserve better from this body, so I vote no. — PAM CURTIS, STAN FROWNFELTER, DENNIS “BOOG” HIGHBERGER, JARROD OUSLEY, RODERICK HOUSTON, JOHN ALCALA, HAROLD LANE

MR. SPEAKER: This bill is proposed as a way to move KPERS towards actuarial soundness. However the Governor's Budget Report states that “under the proposal, proceeds of the bonds would be used to help reduce future employer contribution rates.” That does nothing to help KPERS. Having maxed out the KDOT credit card we are now applying for a new KPERS credit card. That is neither conservative nor responsible government. We continue to deceive ourselves and the people of Kansas about the true cost of state government and push that cost off on future legislatures and Kansas citizens. I vote no on **HB 2095**. — DON HINEMAN, BARBARA BOLLIER, RUSS JENNINGS, LINDA GALLAGHER, MELISSA ROOKER, STEPHANIE CLAYTON, TOM SLOAN, JOHN DOLL, STEVEN R. BECKER, TOM MOXLEY

MR. SPEAKER: I vote No to **HB 2095**. Placing an additional 1,500,000,000.00 (\$1.5 billion) of debt on current and future Kansans is unconscionable. We already have a plan in place to cover the unfunded liability. We should stay the course with that plan and not kick the can down the road.

The \$89 million annual payment over the next 30 years will total over \$2.65 Billion, which is \$1.15 billion above the original amount bonded. — VIRGIL PECK, JR., KEVIN JONES

**SB 240**, AN ACT concerning the banking code; relating to the state bank commissioner; amending K.S.A. 9-519, 9-520, 9-536, 9-542, 9-701, 9-801, 9-802, 9-803, 9-804, 9-806, 9-808, 9-809, 9-811, 9-812, 9-901a, 9-902, 9-903, 9-904, 9-905, 9-906, 9-907, 9-908, 9-909, 9-910, 9-911, 9-912, 9-1101a, 9-1102, 9-1107, 9-1111b, 9-1112, 9-1116, 9-1119, 9-1122, 9-1123, 9-1124, 9-1125, 9-1127a, 9-1127b, 9-1127c, 9-1130, 9-1132, 9-1133, 9-1137, 9-1138, 9-1201, 9-1204, 9-1205, 9-1207, 9-1213, 9-1214, 9-1301, 9-1304, 9-1403, 9-1405, 9-1501, 9-1502, 9-1503, 9-1504, 9-1505, 9-1506, 9-1602, 9-1603, 9-1604, 9-1607, 9-1609, 9-1611, 9-1612, 9-1701, 9-1708, 9-1709, 9-1712, 9-1714, 9-1715, 9-1716, 9-1717, 9-1719, 9-1720, 9-1724, 9-1807, 9-1901, 9-1902, 9-1902a, 9-1903, 9-1905, 9-1906, 9-1907, 9-1908, 9-1909, 9-1910, 9-1915, 9-1916, 9-2001, 9-2002, 9-2005, 9-2006, 9-2007, 9-2008, 9-2010, 9-2011, 9-2012, 9-2013, 9-2014, 9-2016, 9-2018, 9-2101, 9-2102, 9-2103 and 9-2104 and K.S.A. 2014 Supp. 9-532, 9-533, 9-534, 9-535, 9-1101, 9-1104, 9-1111, 9-1114, 9-1140, 9-1215, 9-1401, 9-1402, 9-1407, 9-1408, 9-1601, 9-1702, 9-1703, 9-1704, 9-1713, 9-1721, 9-1722, 9-1805, 9-2004, 9-2107, 9-2108, 9-2111, 39-709 and 44-314 and repealing the existing sections; also repealing K.S.A. 9-514, 9-515, 9-516, 9-517, 9-518, 9-523, 9-538, 9-539, 9-702, 9-703, 9-807, 9-810, 9-813, 9-1101b, 9-1103, 9-1105, 9-1106, 9-1108, 9-1109, 9-1110, 9-1111d, 9-1113, 9-1301a, 9-1507, 9-1605, 9-1606, 9-1608, 9-1610, 9-1705, 9-1710, 9-1711, 9-1718, 9-1723, 9-1802, 9-1803, 9-1808, 9-1904, 9-1912, 9-1914, 9-1914a, 9-2003, 9-2009, 9-2015, 9-2017 and 9-2105 and K.S.A. 2014 Supp. 9-805, 9-1118, 9-1135, 9-1139, 9-1216, 9-1303, 9-1706, 9-1707, 9-1801, 9-1804 and 9-2106, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not

voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosse'ode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Houser.

Present but not voting: None.

Absent or not voting: Sawyer.

The bill passed, as amended.

**H Sub for SB 117**, AN ACT regulating traffic; relating to transportation network companies, transportation network company services, regulation, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 19; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Bollier, Bradford, Bridges, Bruchman, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Frownfelter, Gallagher, Garber, Goico, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Billinger, Boldra, Brunk, Couture-Lovelady, W. Carpenter, Claey's, Esau, Francis, Gonzalez, Grosse'ode, Highland, Hildabrand, Houser, K. Jones, Kelley, McPherson, Peck, Schroeder, Sutton.

Present but not voting: None.

Absent or not voting: Sawyer.

The substitute bill passed, as amended.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2061** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurrred in Senate amendments to **S sub for HB 2149** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Concannon and Ward as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurrred in Senate amendments to **HB 2165** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Huebert, Phillips and Alcala as conferees on the part of the House.

On motion of Rep. Kahrs, the House nonconcurrred in Senate amendments to **HB 2183** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kahrs, Esau and Sawyer as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurrred in Senate amendments to **S Sub for HB 2225** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Concannon and Ward as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurrred in Senate amendments to **S Sub for HB 2281** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Schwab and Ward as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurrred in Senate amendments to **HB 2064** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwab, Bruchman and Houston as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurrred in Senate amendments to **HB 2142** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwab, Bruchman and Houston as conferees on the part of the House.

On motion of Rep. Kahrs, the House nonconcurrred in Senate amendments to **HB 2104** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kahrs, Esau and Sawyer as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **HB 2013** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Proehl, Ryckman Sr. and Lusker as conferees on the part of the House.



On motion of Rep. Hawkins, the House nonconcurrred in Senate amendments to **S Sub for HB 2042** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Concannon and Ward as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurrred in Senate amendments to **S Sub for HB 2043** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Concannon and Ward as conferees on the part of the House.

On motion of Rep. Rubin, the House nonconcurrred in Senate amendments to **HB 2048** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Rubin, Gonzalez and Highberger as conferees on the part of the House.

On motion of Rep. Rubin, the House nonconcurrred in Senate amendments to **HB 2051** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Rubin, Gonzalez and Highberger as conferees on the part of the House.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Education** recommends **SB 93** be passed.

#### **REPORT OF STANDING COMMITTEE**

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 63**, by Representative Travis Couture-Lovelady, congratulating Tanner Shaffer in recognition for achievement of Eagle Scout;

**Request No. 64**, by Representative Travis Couture-Lovelady, congratulating Dylan Bretton in recognition for achievement of Eagle Scout;

**Request No. 65**, by Representative Travis Couture-Lovelady, congratulating Alex Atchison in recognition for achievement of Eagle Scout;

**Request No. 66**, by Representative Travis Couture-Lovelady, congratulating Aaron Schmidt in recognition for achievement of Eagle Scout;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 224, SB 245**.

Announcing passage of **HB 2042**, as amended by **S Sub for HB 2042; HB 2043**, as amended by **S Sub for HB 2043; HB 2101**, as amended by **S Sub for HB 2101**.

Announcing passage of **HB 2013**, as amended; **HB 2048**, as amended; **HB 2051**, as

amended; **HB 2064**, as amended; **HB 2104**, as amended; **HB 2216**, as amended; **HB 2259**, as amended; **HB 2142**, as amended; **HB 2336**, as amended.

Announcing passage of **HB 2009**, **HB 2254**.

Announcing rejection of **S Sub for HB 2326**.

The Senate nonconcurrs in House amendments to **SB 124**, requests a conference and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 127**, requests a conference and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 224**, **SB 245**.

#### **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 124**.

Speaker pro tem Mast thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 127**.

Speaker pro tem Mast thereupon appointed Reps. Proehl, Ryckman Sr. and Lusker as conferees on the part of the House.

#### **CHANGE OF REFERENCE**

Speaker pro tem Mast announced the withdrawal of **SB 11**, **H Sub for SB 12**, **SB 14**, **SB 23**, **SB 34**, **H Sub for SB 112**, **SB 149**, **Sub SB 171**, **SB 190**, **SB 215** from the Calendar under the heading General Orders and referral to Committee on Taxation.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 239**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was thereupon introduced and read by title:

**SB 239**.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

On motion of Rep. Vickrey, **HCR 5016**, by Reps. Merrick and Burroughs, was introduced and adopted.

**HCR 5016--** A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for periods during the 2015 regular session of the legislature.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the legislature shall adjourn at the close of business of the

daily session convened on March 25, 2015, and shall reconvene on March 30, 2015, pursuant to adjournment of the daily session convened on March 25, 2015; and

*Be it further resolved:* That the legislature shall adjourn at the close of business of the daily session convened on April 3, 2015, and shall reconvene on April 29, 2015, pursuant to adjournment of the daily session convened on April 3, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a (a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

#### **REPORT ON ENGROSSED BILLS**

**HB 2233, HB 2240, HB 2391** reported correctly engrossed March 24, 2015.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6020, HR 6021** reported correctly enrolled and properly signed on March 25, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, March 30, 2015.

# Journal of the House

## FIFTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 30, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Reps. Edmonds and Sutton were excused on verified illness.

Reps. Anthimides, Estes, Hedke and Kelley were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving God,  
Thank You for this beautiful Spring day  
and the privilege we have to enjoy it.  
Today we begin what promises to be  
a very busy week as our leaders finish  
considering all the bills for this session.  
For many, it is also Holy Week,  
a time when we contemplate and remember  
the way Your love played out for us.  
On this Monday of Holy Week,  
Your Word tells us that Jesus cursed the fig tree  
which had the pretense of fruit, but bore no fruit.  
In other words, the tree gave promise without performance.  
In all the decisions that need to be made today  
and the rest of the week,  
help our leaders to work hard and diligently  
so as to bear fruit, not just show a pretense of fruit,  
and to perform on their promises to their constituents.  
To do this, they need Your guidance, strength, wisdom and grace.  
In Christ's Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Frownfelter.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Whitmer are spread upon the Journal:

I rise today to honor Oatville Elementary School from Haysville which has been recognized as a 2014 Blue Ribbon School.

The National Blue Ribbon Schools program has been recognizing great American schools since 1982. This award recognizes public and private elementary, middle and high schools based on their overall academic excellence or their progress in closing achievement gaps among student subgroups. Every year the Department of Education seeks out and celebrates great American schools like Oatville, schools demonstrating that all students can achieve to high levels. More than 7,500 of schools across the country have been presented with this coveted award. This award means that Oatville Elementary ranks in the top 5% of schools in the nation. Joining me today are: John Burke – USD 261 Superintendent; Teresa Tosh – Assistant Superintendent of Learning Services; Shane Dent – Oatville Elementary School Principal; Wendi Salyer – Oatville Elementary Teacher; Susan Walston – School Board President.

Please join me in congratulating one of Kansas' 2014 Blue Ribbon Schools!

Rep. Whitmer presented framed House certificates to the school officials.

## **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Lewis are spread upon the Journal:

Today I have the privilege of introducing to you the current Boys' 2A State Basketball Champions, from my hometown the St. John Tigers. The Tigers recently won their 3<sup>rd</sup> straight state championship in a row and went 26-0 on the year. They've now won 59 games in a row, which is only three victories short of an all-time Kansas state record.

Now I'd like to introduce to you the members of the St. John High School boys' basketball team. Freshmen team members are Connor Engel, Chase Fisher, Eddy Ibarra, Joel Ibarra, Keven Neri-Leon, Quincy Smith, and Braden Witt. Sophomores are Jorge Calleros, Derek Hacker, Mario Ibarra, Cole Kinnamon, Triston Long, Sammy Ramirez, Alexis Valenzuela, and Ryan Woodward. Juniors are Jeremy Crockett and Jacob Milton. Seniors are Gera Calleros and Dean Wade.

Managers are Christy Garcia, Audrey Mercer, Alexis Moss, Nick Schwein, and Nathan Ward.

Senior Dean Wade is rated the 109<sup>th</sup> best player in the nation and will be playing basketball at Kansas State University next year. Dean is the first Kansas player to be to be given a full scholarship to play at Kansas State University by Coach Bruce Weber. He was named as the best player in Kansas for the second straight year by Sports in Kansas.com. He was also named the Kansas Gatorade Player-of-the-Year. The Topeka Capital Journal and the Wichita Eagle picked Dean for First Team all-state two years in a row. Sophomore Cole Kinnamon was named First Team Class 2A by Sports in Kansas.com, and was picked to be on the second team Class 2A by the Topeka Capital Journal. The head coach of the Tigers is Clint Kinnamon and his assistant is Kurt Fairchild. Coach Clint Kinnamon was named Kansas Co-coach of the Year along with his brother Kurt Kinnamon by the Topeka Capital Journal. Coach Clint Kinnamon was named Coach of the Year of all classes by Sports in Kansas.com.

Gentlemen – You have defined yourselves through the giving of your best personal

effort. You have defined yourselves by coming together as a team. Working together for a common goal. You have defined yourselves by combining your individual talents, strengths and abilities without selfishness. This is what defines you.

With that being said I wish to congratulate the St. John Tigers Boys Basketball Team on their successful season.

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

The following bills, appearing on the Calendar as "To Be Referred," were referred to committees as indicated:

Agriculture and Natural Resources: **SB 64**.

Corrections and Juvenile Justice: **SB 290**.

Elections: **SB 239**.

Federal and State Affairs: **SB 224**.

Taxation: **SB 31, SB 63, SB 280**.

Transportation: **SB 245, SB 271**.

#### **MESSAGES FROM THE GOVERNOR**

**HB 2053** approved on March 25, 2015.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 133**.

The Senate concurs in House amendments to **SB 45, SB 108**.

Announcing passage of **HB 2124**, as amended by **S Sub for HB 2124; HB 2135**, as amended by **S Sub for HB 2135; Sub HB 2170**, as amended by **S Sub for Sub HB 2170; HB 2177**, as amended by **S Sub for HB 2177**.

Announcing passage of **HB 2055**, as amended; **HB 2111**, as amended; **HB 2155**, as amended; **Sub HB 2159**, as amended; **HB 2256**, as amended.

The Senate nonconcurrs in House amendments to **H Sub for SB 36**, requests a conference and has appointed Senators Powell, Kerschen, and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 101**, requests a conference and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 154**, requests a conference and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 156**, requests a conference and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 189**, requests a conference and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

Also, announcing adoption of **HCR 5016**.

Also, the Senate accedes to the request of the House for a conference on **HB 2183** and has appointed Senators Holmes, Fitzgerald and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB**

**2042** and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 52**, requests a conference and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 117**, requests a conference and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 240**, requests a conference and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was thereupon introduced and read by title:

#### **SB 133.**

### **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 36**.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 101**.

Speaker Merrick thereupon appointed Reps. Schwab, Bruchman and Houston as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 154**.

Speaker Merrick thereupon appointed Reps. Hutton, Mason and Frownfelter as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 156**.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 189**.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 52**.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a

conference on **H Sub for SB 117**.

Speaker Merrick thereupon appointed Reps. Schwab, Bruchman and Houston as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 240**.

Speaker Merrick thereupon appointed Reps. DeGraaf, Kelly and Frownfelter as conferees on the part of the House.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Johnson, the House nonconcurrent in Senate amendments to **S Sub for HB 2101** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Johnson, Thompson and Trimmer as conferees on the part of the House.

On motion of Rep. Schwartz to concur in Senate amendments to **S Sub for HB 2135**, Rep. Ryckman offered a substitute motion to nonconcur in Senate amendments to **S Sub for HB 2135** and that a conference committee be appointed. The substitute motion prevailed.

Speaker Merrick thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

On motion of Rep. DeGraaf, the House nonconcurrent in Senate amendments to **HB 2216** and asked for a conference.

Speaker Merrick thereupon appointed Reps. DeGraaf, Kelly and Frownfelter as conferees on the part of the House.

On motion of Rep. DeGraaf, the House nonconcurrent in Senate amendments to **HB 2259** and asked for a conference.

Speaker Merrick thereupon appointed Reps. DeGraaf, Kelly and Frownfelter as conferees on the part of the House.

#### **CHANGE OF CONFEREES**

Speaker Merrick announced the appointment of Rep. Carmichael as a member of the conference committee on **SB 113** to replace Rep. Highberger.

#### **BILLS STRICKEN FROM CALENDAR**

In accordance with House Rule 1507, the following bills were stricken from the calendar for March 30, 2015: **SB 28, SB 51, H Sub for SB 54, SB 70, SB 72, SB 77, SB 93, SB 126, SB 142, SB 157, SB 183, H Sub for SB 184, SB 214**.

#### **REPORT ON ENGROSSED BILLS**

**HB 2087, HB 2088, HB 2095, HB 2395** reported correctly engrossed March 26, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, March 31, 2015.



# Journal of the House

## FIFTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 31, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 117 members present.

Rep. Edmonds was excused on verified illness.

Rep. Bridges was excused on legislative business.

Reps. Gallagher, Highland, Hineman, Kelley, Sloan and Todd were excused on excused absence by the Speaker.

Rep. Hildabrand was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Lewis O. Smith, Sr., pastor, Manhattan First Free Methodist Church, and guest of Rep. Barker:

Gracious Father, I come before your throne of grace, mercy, love, forgiveness and salvation giving thanks, praise and glory unto your Holy name.

I thank you God for these dedicated men and women who are willing to serve on behalf of the people of this great State of Kansas and I pray that as they make decisions concerning the health, welfare and safety of the people of Kansas that they will seek your guidance and wisdom Lord.

Father God, I pray that you will surround our Governor, our State Senators and our State Representatives. Bestow upon each of them wisdom to make the right decision that indeed comes from you Gracious Father.

Gracious Father, throughout the years you have given us the strength and resources to build nice towns and cities throughout this great State unto which these men and women of this legislative body represent. Grant us the humility and wisdom to acknowledge that we cannot build enduringly unless we give honor, praise and glory to your Holy name Father God.

Give unto each of these State Senators, State Representatives and Governor of the State of Kansas an awareness of the many people in all walks of life who rely upon them to serve the common welfare of the people of this State, who trust them to do what is right and beneficial for the people throughout the State of Kansas.

Share with us the vision that God has given these men and women who are dedicated to serving God and their respective communities.

Let not the still, small voice of conscience be stifled by the loud demands of the selfish, nor by the harsh utterance of the heartless. Save us God from violence, discord, and confusion, from pride and arrogance, and from every evil way.

Father God may these men and women who have been elected to serve defend our liberties. Let our strength become a blessing to the weak, and let our resources be at the command of all who are worthy, regardless of class, creed, race, sexual orientation and national origin.

May we labor together that all may see our faces as set toward thee Lord as brothers and sisters in Christ Jesus.

We ask this in the Name of Christ Jesus, who presence is in every street, in every home and in all our affairs. In Jesus' precious and glorious name. Amen.

The Pledge of Allegiance was led by Rep. Swanson.

#### INTRODUCTION OF GUESTS

Rep. Alcalá introduced Gabriel J. Alcalá, Topeka, to the members of the body. Colonel Alcalá was recognized for his awards, accomplishments, service and retirement from the United States Air Force.

Rep. Alcalá presented him with a framed House certificate.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Judiciary: **SB 133**.

#### MESSAGES FROM THE GOVERNOR

**HB 2023, HB 2066, HB 2085** approved on March 30, 2015.

#### COMMUNICATIONS FROM STATE OFFICERS

From Kari M. Bruffett, Secretary, Kansas Department for Aging and Disability Services, pursuant to K.S.A. 59-29a11(e), Annual Report, Transitional and Conditional Release of Persons Committed to the Sexual Predator Treatment Program.

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

#### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2013** and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB**

**2043** and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2048** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2051** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2061** and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2064** and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2101** and has appointed Senators King, Longbine and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2104** and has appointed Senators Holmes, Fitzgerald and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2135** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2142** and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2149** and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2165** and has appointed Senators Pyle, Fitzgerald and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2216** and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2225** and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2259** and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2281** and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as conferees on the part of the Senate.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Hedke, the House concurred in Senate amendments to **HB 2193**, AN ACT concerning the secretary of health and environment; relating to environmental remediation; risk management program act; voluntary cleanup and property redevelopment act; amending K.S.A. 65-34,167, 65-34,168 and 65-34,169 and repealing the existing sections; also repealing K.S.A. 65-34,170.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Edmonds, Gallagher, Highland, Hineman, Kelley, Mast, Sloan, Todd.

On motion of Rep. Rubin, the House concurred in Senate amendments to **HB 2336**, AN ACT concerning children and minors; relating to juvenile offenders; risk assessment tool; placement in the custody of the secretary of corrections; amending K.S.A. 2014 Supp. 38-2361, 38-2366 and 38-2369 and repealing the existing sections.

On roll call, the vote was: Yeas 111; Nays 5; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Carlin, Carmichael, Houston, Lane.

Present but not voting: None.

Absent or not voting: Bridges, Edmonds, Gallagher, Highland, Hineman, Kelley, Mast, Sloan, Todd.

On motion of Rep. Goico, the House concurred in Senate amendments to **HB 2006**, AN ACT concerning veterans; relating to license plates for disabled veterans; pertaining to parking in certain public parking spaces; amending K.S.A. 2014 Supp. 8-161 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not

voting: 10.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Edmonds, Gallagher, Highland, Hildabrand, Hineman, Kelley, Mast, Sloan, Todd.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2055** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2106** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2111** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **S Sub for HB 2124** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **Sub HB 2159** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Macheers, the House nonconcurred in Senate amendments to **HB 2256** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as

conferees on the part of the House.

On motion of Rep. O'Brien, the House nonconcurrred in Senate amendments to **S Sub for Sub HB 2170** and asked for a conference.

Speaker Merrick thereupon appointed Reps. O'Brien, Dove and Victors as conferees on the part of the House.

On motion of Rep. Goico, the House nonconcurrred in Senate amendments to **S Sub for HB 2155** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Goico, Osterman and Lane as conferees on the part of the House.

### CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2416** from Committee on Commerce, Labor and Economic Development and referral to Committee on Calendar and Printing.

Also, the withdrawal of **Sub SB 155** from Committee on Financial Institutions and referral to Committee on Insurance.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 228** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

STEVEN C. JOHNSON

KENT L. THOMPSON

ED TRIMMER

*Conferees on part of House*

JEFF KING

JEFF LONGBINE

ANTHONY HENSLEY

*Conferees on part of Senate*

On motion of Rep. Johnson the conference committee report on **SB 228** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Johnson, Thompson and Trimmer as second conferees on the part of the House.

### CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Burroughs as a member of the conference committee on **HB 2216** to replace Rep. Frownfelter.

On motion of Rep. Vickrey, the House recessed until 3:30 p.m.

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AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report to agree to disagree on **SB 228**, and has appointed Senators King, Longbine and Hensley as second conferees on the part of the Senate.

The Senate announced the appointment of Senator Francisco to replace Senator Kelly as a conferee on **HB 2149**.

The Senate announced the appointment of Senator Francisco to replace Senator Kelly as a conferee on **S Sub for HB 2225**.

The Senate accedes to the request of the House for a conference on **HB 2055** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2106** and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2111** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2124** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2155** and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2159** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for Sub HB 2170** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2256** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

**CHANGE OF CONFEREES**

Speaker Merrick announced the appointment of Reps. Brunk, Couture-Lovelady and Tietze as members of the conference committee on **S Sub for HB 2155** to replace Rep. Goico, Osterman and Lane.

**APPOINTMENT OF SELECT COMMITTEE**

Speaker Merrick, pursuant to House Rule 4902, appointed the following members to serve on a Select Investigative Committee in response to the complaint filed with House Clerk Susan Kannarr on March 23, 2015:

Rep. Davis, Chair; Reps. Kahrs, Schwartz, Sawyer, Ballard and Whipple.

A copy of the signed complaint has been given to Chairwoman Davis, who will proceed under the House Rule to convene the Committee and initiate its inquiry. Pursuant to House Rule 4902(b), the select committee shall constitute an investigating committee and shall have the powers thereof under Article 10 of chapter 46 of the Kansas Statutes Annotated.

MR. SPEAKER: An incident occurred in the House Education Committee on March 19, 2015. It was moved and seconded that **HB 2139** be passed. The chairman, Ron Highland, recognized Representative Valdenia Winn for discussion of the bill.

Representative Winn proceeded to use inflammatory language and inferences toward the committee or anyone who would support such a bill. After objection was raised, the representative stated her remarks were not personal in nature but also said if the “Shoe Fits.” She continued with additional language that was offensive and reprehensible. The transcript of her comments is attached.

Pursuant to House Rule 4901, we the undersigned hereby desire to lodge a formal complaint. — RONALD L. HIGHLAND, TONY BARTON, CHARLES MACHEERS, WILLIE O. DOVE, JERRY LUNN, JOHN BRADFORD, MARC RHOADES, JOHN E. BARKER, DENNIS E. HEDKE

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, April 1, 2015.



# Journal of the House

## FIFTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, April 1, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. Edmonds was excused on verified illness.

Reps. Claeys, Goico, Sloan and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God in Heaven,  
Thank You for this day and Your new mercies  
that You give to us each new day.  
In dealing with finances, Proverbs cautions us  
“to be sure *we* know the condition of *our* flocks,  
and to give careful attention to *our* herds;  
for riches do not endure forever,  
and a crown is not secure for all generations.”  
We are also reminded in Your Word  
“that if *we* want to build a tower,  
*we* should sit down first and estimate the cost  
to see if *we* have enough money to complete it.”  
During this time of budget deliberations,  
give our leaders wisdom and an accurate understanding  
of the needs of the people of this state.  
And teach all of us to use our talents and abilities in ways  
that are honorable, just and of benefit to others.  
I pray this in Christ’s Name,  
Amen.  
(Proverbs 27:23-24; Luke 14:28)

The Pledge of Allegiance was led by Rep. Waymaster.

### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **HB 2104**, and has appointed Senators Holmes, Fitzgerald and Faust-Goudeau as second conferees on the part of the Senate.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 127** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 3, by striking all in lines 6 through 15; in line 28, after "68-1034" by inserting "and 68-1111";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking all after "highway"; in line 6, by striking all before "and"; in line 7, after "interchange" by inserting "; certain bridge inspections"; in line 8, after "sections" by inserting "; also repealing K.S.A. 68-1111";

And your committee on conference recommends the adoption of this report.

RICHARD PROEHL

RONALD RYCKMAN, SR.

ADAM J. LUSKER, SR.

*Conferees on part of House*

MIKE PETERSON

KAY WOLF

PAT PETTEY

*Conferees on part of Senate*

On motion of Rep. Proehl, the conference committee report on **SB 127** was adopted.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Lane.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Goico, Sloan, Winn.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 228** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows: on page 1, by striking all in lines 7 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 39; following line 39, by inserting:

"New Section 1. (a) For the purpose of financing a portion of the unfunded actuarial pension liability of the Kansas public employees retirement system, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds under the Kansas development finance authority act in an amount necessary to provide a deposit or deposits to the Kansas public employees retirement system in a total amount not to exceed \$1,000,000,000 plus all amounts required to pay the costs of issuance of the bonds, including any credit enhancement, interest costs and to provide any required reserves for the bonds. No bonds shall be issued until such issuance has been approved by a resolution of the state finance council. The principal amount, interest rates and final maturity of such revenue bonds and any bonds issued to refund such bonds or parameters for such principal amount, interest rates and final maturity shall be approved by a resolution of the state finance council, except that, for any one or more series of revenue bonds issued pursuant to this section, such interest rate, all inclusive cost, shall not exceed 5%. The bonds, and interest thereon, issued pursuant to this section shall be payable from moneys appropriated by the state for such purpose. The bonds, and interest thereon, issued pursuant to this section shall be obligations only of the authority and in no event shall such bonds constitute an indebtedness or obligation of the Kansas public employees retirement system or an indebtedness or obligation for which the faith and credit or any assets of the system are pledged. Neither the state nor the department of administration shall have the power to pledge the full faith and credit or taxing power of the state for debt service on any bonds issued pursuant to this section, and any payment by the department for such purpose shall be subject to and dependent on appropriations by the legislature. Any obligation of the state or the department for payment of debt service on bonds issued pursuant to this section shall not be considered a debt or obligation of the state for the purpose of section 6 of article 11 of the constitution of the state of Kansas.

(b) As used in this section, "unfunded actuarial pension liability" means the unfunded actuarially accrued liability of the state for the state of Kansas' and participating employers', under K.S.A. 74-4931, and amendments thereto, portion of such liability of the Kansas public employees retirement system, determined as of the later of December 31, 2013, or the end of the most recent calendar year for which an actuarial valuation report is available and certified to the Kansas development finance authority by the executive director of the Kansas public employees retirement system.

(c) (1) The authority may pledge the contract or contracts authorized in subsection (d), or any part thereof, for the payment or redemption of the bonds, and covenant as to the use and disposition of moneys available to the authority for payment of the bonds. The authority is authorized to enter into any agreements necessary or desirable to effectuate the purposes of this section.

(2) The proceeds from the sale of the bonds, other than refunding bonds, issued pursuant to this section, after payment of any costs related to the issuance of such bonds, shall be paid by the authority to the Kansas public employees retirement system to be applied to the payment, in full or in part, of the unfunded accrued pension liability as directed by the Kansas public employees retirement system.

(3) The state hereby pledges and covenants with the holders of any bonds issued pursuant to the provisions of this section that it will not limit or alter the rights or powers vested in the authority by this section, nor limit or alter the rights or powers of the authority, the department of administration or the Kansas public employees retirement system, in any manner which would jeopardize the interest of the holders or any trustee of such holders or inhibit or prevent performance or fulfillment by the authority, the department of administration or the Kansas public employees retirement system with respect to the terms of any agreement made with the holders of the bonds or agreements made pursuant to this section, except that the failure of the legislature to appropriate moneys for any purpose shall not be deemed a violation of this pledge and covenant. The department of administration is hereby specifically authorized to include this pledge and covenant in any agreement with the authority. The authority is hereby specifically authorized to include this pledge and covenant in any bond resolution, trust indenture or agreement for the benefit of holders of the bonds.

(4) Revenue bonds may be issued pursuant to this section without obtaining the consent of any department, division, commission, board or agency of the state, other than the approvals of the state finance council required by this section, and without any other proceedings or the occurrence of any other conditions or other things other than those proceedings, conditions or things which are specifically required by the Kansas development finance authority act.

(d) The department of administration and the authority are authorized to enter into one or more contracts to implement the payment arrangement that is provided for in this section. The contract or contracts shall provide for payment of the amounts required to be paid pursuant to this section and shall set forth the procedure for the transfer of moneys for the purpose of paying such moneys. The contract or contracts shall contain such terms and conditions, including principal amount, interest rates and final maturity, as shall be approved by resolution of the state finance council and shall include, but not be limited to, terms and conditions necessary or desirable to provide for repayment of and to secure any bonds of the authority issued pursuant to this section.

(e) The approvals by the state finance council required by subsections (a) and (d) are hereby characterized as matters of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto. Such approvals may be given by the state finance council when the legislature is in session.

Sec. 2. K.S.A. 2014 Supp. 74-4914d is hereby amended to read as follows: 74-4914d. Any additional cost resulting from the normal retirement date and retirement before such normal retirement date for security officers as provided in K.S.A. 74-4914c, and amendments thereto, and disability benefits as provided in K.S.A. 74-4914e, and amendments thereto, shall be added to the employer rate of contribution for the department of corrections as otherwise determined under K.S.A. 74-4920, and amendments thereto, except that the employer rate of contribution for the department of corrections including any such additional cost added to such employer rate of contribution pursuant to this section shall in no event exceed the employer rate of

contribution for the department of corrections for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which security officers contribute during the period: (a) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (b) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (c) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (d) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%, except that if bonds issued pursuant to section 1, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (e) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%, except that if bonds issued pursuant to section 1, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year; and (f) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year. As used in this section, "capitalized interest" means interest payments on the bonds that are pre-funded or financed from bond proceeds as part of the issue for a specified period of time in order to offset one or more initial debt service payments.

Sec. 3. K.S.A. 2014 Supp. 74-4920 is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in ~~subsection (3)(a) of~~ K.S.A. 74-4908(3)(a), and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in ~~subsection (3)(a) of~~ K.S.A. 74-4908(3)(a), and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such employer to pay all of the liabilities which shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be

termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer which begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of

compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%, except that if bonds issued pursuant to section 1, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; ~~and~~ (E) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%, except that if bonds issued pursuant to section 1, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year; and (F) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year. As used in this subsection, "capitalized interest" means interest payments on the bonds that are pre-funded or financed from bond proceeds as part of the issue for a specified period of time in order to offset one or more initial debt service payments.

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to



exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers.

(vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74-4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the employer contribution rates certified for the employer contribution rate in the fiscal year immediately following such enactment. Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years.

(10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2014 Supp. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection (11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007.

(11) The actuarial accrued liability incurred for the provisions of K.S.A. 2014



Supp. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2014 Supp. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 2014 Supp. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(15) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under ~~subsection (a) of~~ K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

Sec. 4. K.S.A. 2014 Supp. 74-4914d and 74-4920 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 4, in line 41, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking "police"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERS; requirements and procedures; employer contribution rates; amending K.S.A. 2014 Supp. 74-4914d and 74-4920 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

STEVEN C. JOHNSON

KENT THOMPSON

*Conferees on part of House*

JEFF KING

JEFF LONGBINE

*Conferees on part of Senate*

On motion of Rep. Johnson, the conference committee report on **SB 228** was adopted.

On roll call, the vote was: Yeas 63; Nays 57; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, W. Carpenter, Concannon, Corbet, Davis, Dove, Esau, Estes, Ewy, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hildabrand, Hoffman, Huebert, Hutchins, Hutton, Johnson, D. Jones, Kelly, Kiegerl, KleeB, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Powell, Proehl, Read, Rubin, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Curtis, DeGraaf, Dierks, Doll, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houser, Houston, Jennings, K. Jones, Kahrs, Kelley, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Peck, Phillips, Rhoades, Rooker, Ruiz, Sawyer, Scapa, Schroeder, Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Goico, Sloan, Winn.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **SB 228**. This body has repeatedly been warned that bonding a portion of KPERS is a bad financial investment, and yet we are ignoring those warnings and voting to do so. This bill pushes the cost of KPERS onto future generations of Kansans as a means to fill a revenue hole that was created when this House voted in favor of the Governor's economic experiment. The legislature has already nearly bankrupted KDOT, and I fear that KPERS may face the same future.

— CAROLYN BRIDGES, TOM SAWYER, JOHN WILSON

MR. SPEAKER: I vote NO on **SB 228**. Borrowing and creating new debt to cover old debt is not sound fiscal policy and does not solve the state's systemic revenue problem. Bonding over \$1 billion of the unfunded actuarial liability of KPERS is the equivalent of gambling with state employee's pensions – there is no guarantee that the risk will pay off. State employees work hard for our state, and it past time that this body make them a priority. — TOM BURROUGHS, HAROLD LANE, JOHN ALCALA, GAIL FINNEY, NANCY LUSK, BRANDON WHIPPLE, PAM CURTIS, ED TRIMMER

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. DeGraaf, the House concurred in Senate amendments to **HB 2259**, AN ACT concerning municipal finance; relating to temporary notes for improvements, indebtedness reporting; amending K.S.A. 10-123 and 10-1007a and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brunk, Claeys, Edmonds, Goico, Sloan, Winn.

On motion of Rep. Kelly, the House concurred in Senate amendments to **HB 2216**, AN ACT concerning financial organizations; relating to the Kansas money transmitter act, the Kansas mortgage business act, remote service units; enacting the Kansas ABLE savings program; amending K.S.A. 2014 Supp. 9-508, 9-509, 9-510, 9-511, 9-513a, 9-513b, 9-1111 and 9-2201 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 116; Nays 4; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: DeGraaf, D. Jones, K. Jones, Peck.

Present but not voting: None.

Absent or not voting: Claeys, Edmonds, Goico, Sloan, Winn.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **S Sub for HB 2177** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Boldra and Victors as

conferees on the part of the House.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2104** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MITCH HOLMES  
STEVE FITZGERALD  
OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

MARK KAHRs  
KEITH ESAU  
TOM SAWYER  
*Conferees on part of House*

On motion of Rep. Kahrs the conference committee report on **HB 2104** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Kahrs, Esau and Sawyer as second conferees on the part of the House.

### REPORT ON ENGROSSED BILLS

**HB 2193** reported correctly engrossed March 31, 2015.

**HB 2006, HB 2336** reported correctly re-engrossed March 31, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, April 2, 2015.

# Journal of the House

## FIFTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, April 2, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 123 members present.

Rep. Edmonds was excused on verified illness.

Rep. Sloan was excused on excused absence by the Speaker.

Rep. Kleeb was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dan Rhoades, senior pastor, First Baptist Church, Louisburg, and guest of Rep. Vickrey:

Almighty God, As we gather here today we thank you for the privilege of living in this country and in the great state of Kansas. We thank you for the beauty of a Kansas sunset, the waving wheat fields, the rolling flint hills, and the vast prairies of western Kansas. We have some beautiful sites in this place we call home, but what really makes Kansas great is the people that live here.

We thank you for all the men and women who have dedicated themselves to serving our state. We thank you for those who serve others: our state representatives, senators, governor and lieutenant governor, our US Congress and Senate representatives, our police departments, sheriff departments, highway patrol; for those serving our great state in the Armed Services, our fire departments; our teachers and all involved in education; and the medical personnel who are there in some of our greatest times of need. Thank you for those who serve in positions that we forget to say thank you to... our workers who keep our roadways safe from the sign holder to the snow plow driver. Help us to be grateful for this great state that we call home and for all of our neighbors.

Today as decisions are being made for our state, we pray that you will grant wisdom to our leaders. We thank you for these, our leaders, who are representing the ordinary citizen. Help them to seek that which is best for our state. Be with all who are here today. Be the light in the darkness, strength

when we are weak, and our hope in the midst of despair. May the burdens of each be lightened as they share their workload together. May they experience personal peace and joy from this work that they have been commissioned to perform.

Bless our leaders. I ask all of this in Jesus' Name. Amen.

The Pledge of Allegiance was led by Rep. Ruiz.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2418**, AN ACT relating to energy conservation measures; concerning contracts or lease-purchase agreements by state agencies or political subdivisions; limitations on such agreements and review by attorney general; amending K.S.A. 2014 Supp. 72-6760, 72-6760h and 75-37,125 and repealing the existing sections, by Committee on Appropriations.

## MESSAGES FROM THE GOVERNOR

**HB 2267** approved on April 1, 2015

## COMMUNICATIONS FROM STATE OFFICERS

From Nick Jordan, Secretary of the Kansas Department of Revenue, as required by K.S.A. 74-50, 118(c), 2014 Annual Report -- Kansas Enterprise Zone Act.

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

## MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **S Sub for HB 2135**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

Also, the Senate accedes to the request of the House for a conference on **S Sub for HB 2177** and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

The Senate announced the appointment of Senator Pettey as a conferee on **S Sub for Sub for HB 2170**.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2149**, and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **S Sub for HB 2042**, and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as second conferees on the part of the Senate.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Finney, **HR 6022**, by Reps. Patton and Finney, as follows, was introduced and adopted:

**HR 6022**—A RESOLUTION designating the month of April as Parkinson's Disease Awareness Month.

A RESOLUTION designating the month of April as Parkinson's Disease Awareness Month.

WHEREAS, Parkinson's disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer's disease; and

WHEREAS, It is estimated that the disease affects over 1,000,000 people in the United States, including thousands of Kansans; and

WHEREAS, Although research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown; and

WHEREAS, There is no objective test for Parkinson's disease and the rate of misdiagnosis can be high; and

WHEREAS, Symptoms of Parkinson's disease vary from person to person and include tremor, slowness, difficulty with balance, swallowing, chewing and speaking, rigidity, cognitive problems, dementia, mood disorders, such as depression and anxiety, constipation, skin problems and sleep disruptions; and

WHEREAS, Medications mask some symptoms of Parkinson's disease for a limited amount of time each day, often with dose-limiting side effects; and

WHEREAS, Ultimately the medications and treatments lose their effectiveness, generally after four to eight years, leaving the person unable to move, speak or swallow; and

WHEREAS, There is no cure, therapy, or drug to slow or halt the progression of Parkinson's disease; and

WHEREAS, Increased education and research are needed to help find more effective treatments or a cure for Parkinson's disease; and

WHEREAS, The federal government, through the National Institute of Health, the Department of Defense Neurotoxin Exposure Treatment Parkinson's Research Program, the Veterans Affairs Parkinson's Disease Research, Education and Clinical Center, and other agencies, support vital work to better understand Parkinson's disease and to find new treatments; and

WHEREAS, In the fight against Parkinson's, Kansans can be proud. The University of Kansas Medical Center's Parkinson's Disease Center is designated as a National Parkinson's Foundation Center of Excellence. Support groups and organizations such as the National Parkinson's Foundation – Heartland in Leawood; patients, including Rob Peppers, the Honorable J. Basil Dannebohm, Lisa Reser and Barbara Sowards; and many advocates working to promote Parkinson's Disease awareness, education and patient support: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we designate the month of April as Parkinson's Disease Awareness Month. We will continue to support research to find better treatments, and eventually, a cure for Parkinson's disease.

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Patton.

There being no objection, the following remarks of Reps. Patton and Finney are spread upon the Journal:

Remarks of Rep. Patton:

Parkinson's Disease Awareness Month was first proclaimed by the Kansas House in 2013. Celebrating its third consecutive year, it is my honor, along with Representative Finney, to sponsor this important resolution.

Each year, the resolution has been coordinated by J. Basil Dannebohm. In the summer of 2012, Dannebohm was diagnosed with Young Onset Parkinson's Disease. Since that time, he has been an advocate for Parkinson's disease research, treatment and awareness. In 2015, he briefly served in the Kansas House of Representatives, representing the 113th District, until such time as he resigned due to health complications. Former Representative Dannebohm joins us here today and I am happy to welcome him back to the Capitol.

Also joining us is Lisa Reser from Ellinwood, Kansas. Mrs. Reser is a fifth grade teacher suffering from Parkinson's disease. Though she faces the daily challenges of living with the disease, from the time she started her career as a child care provider to the present day as an educator, Lisa has been committed to the well-being of Kansas children for more than 25 years.

Our final guest is my mother-in-law, Bobbie Sowards, who suffers from Parkinson's disease. It is my sincere honor to have her attend today as we bring attention to this awful disease.

Remarks of Rep. Finney:

Parkinson's disease is a progressive neurological disorder that affects nearly one million people in the United States. In 2005, an estimated 5,500 Kansans suffered from Parkinson's Disease. By 2012, that number had increased to an estimated 9,000 Kansans. Although promising research is being conducted, there is currently no cure for or definitive cause of Parkinson's disease.

We are mindful of those who struggle and pledge our support and encouragement to them in their fight against this terrible disease. On behalf of Representative Patton and myself, I'd like to thank this legislative body for your support of Parkinson's Disease Awareness Month.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Houston, **HR 6023**, by Reps. Houston and Finney, as follows, was introduced and adopted:

**HR 6023**—A RESOLUTION recognizing Storytime Village, Inc. for its work to give young Kansas children the opportunity for a better future through literacy.

A RESOLUTION recognizing Storytime Village, Inc. for its work to give young Kansas children the opportunity for a better future through literacy.

WHEREAS, Storytime Village, Inc. has worked since 2009 to help Kansas children from birth to age eight thrive through partnerships that provide early childhood development, family engagement around reading and access to books; and

WHEREAS, According to a 2013 study conducted by the National Kids Count Data Center, 56% of Caucasian fourth graders in Kansas scored below the "proficient"



reading level, while 80% of Hispanic children and 83% of African-American fourth graders in Kansas scored below the "proficient" reading level. With the support of parents and the help of many dedicated volunteers, Storytime Village, Inc. inspires children, regardless of their socioeconomic background, race or gender to read by providing them with free books and literacy resources. Storytime Village, Inc. is currently the only nonprofit organization based in Kansas that focuses exclusively on children's literacy: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize Storytime Village, Inc. for its work to give young Kansas children the opportunity for a better future through literacy; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Prisca Barnes, Founder and CEO of Storytime Village, Inc., Representative Houston and Representative Finney.

There being no objection, the following remarks of Rep. Houston are spread upon the Journal:

Today is Literacy Day at the Capitol and Rep. Finney and myself are here today with a two-fold purpose: One is to celebrate International Children's Book Day, which is an annual event held on April 2: which is also the birth date of Hans Christian Andersen, the famous author who wrote some classic fairytales such as the "Little Mermaid," "The Snow Queen," "The Ugly Duckling," "The Nightingale" and many more. The celebration is sponsored by the International Board on Books for Young People (IBBY) with the goal to "inspire a love of reading and to call attention to children's books."

I think we would all agree that books open new worlds of possibilities for children and taking the time and making the investment into our children's education ,when they are young helps them to be more prepared for what the future will bring to them.

Also, we want to welcome Storytime Village, Inc., who with the support of parents and the community, are fostering a lifelong love of reading in underserved Kansas children from birth to age 8." Standing on the ancient African proverb "it takes a village to raise a child", they strive to give every child in Kansas, regardless of their socioeconomic background, race, and/or gender the opportunity for a better future through literacy. Since its inception in 2009, Storytime Village has been dedicated to helping the youngest in our communities thrive through partnerships that provide early childhood development, family engagement fostered through reading, and better access to books.

We would ask that you join me in congratulating Storytime Village, Inc. for their great efforts in reaching out to our communities and helping children through this great program.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 117** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 2, following line 13, by inserting:

"(h) "Vehicle owner" means the owner of a personal vehicle.";

Also on page 2, by striking all in lines 21 through 25; in line 41, by striking "July 1, 2015" and inserting "January 1, 2016"; in line 42, after "driver" by inserting "or vehicle owner";

On page 3, in line 19, after "driver" by inserting "or vehicle owner"; in line 34, after "driver" by inserting "or vehicle owner"; in line 38, after "driver" by inserting "or vehicle owner";

On page 4, in line 38, after "the" by inserting "driver's or vehicle";

On page 5, in line 26, by striking "9" and inserting "8"; in line 29, by striking "9" and inserting "8"; in line 38, by striking "9" and inserting "8";

On page 6, in line 17, by striking all after "(2)"; by striking all in lines 18 through 22 and inserting "obtain a local and national criminal background check on the individual, conducted by the Kansas bureau of investigation;

(A) fingerprints submitted pursuant to this section shall be released by the attorney general to the Kansas bureau of investigation for the purpose of conducting criminal history records checks, utilizing the files and records of the Kansas bureau of investigation and the federal bureau of investigation; and

(B) each individual shall be subject to a state and national criminal history records check which conforms to applicable federal standards for the purpose of verifying the identity of the individual and whether the individual has been convicted of any crime that would disqualify the individual from being a transportation network driver under this act";

On page 7, by striking all in lines 42 and 43;

On page 8, by striking all in lines 1 through 5; by striking all in lines 20 through 22; in line 24, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

And your committee on conference recommends the adoption of this report.

SCOTT SCHWAB  
ROB BRUCHMAN  
Roderick Houston  
Conferees on part of House

JEFF LONGBINE  
ELAINE BOWERS  
TOM HAWK  
*Conferees on part of Senate*

On motion of Rep. Schwab, the conference committee report on **H Sub for SB 117** was adopted.

On roll call, the vote was: Yeas 107; Nays 16; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carmichael, B. Carpenter, Clark, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill,

Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Ballard, Couture-Lovelady, Carlin, W. Carpenter, Claeys, Clayton, Grosserode, Highland, Houser, K. Jones, Kelley, Kuether, McPherson, Sutton, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Edmonds, Sloan.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 154** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MARK HUTTON

LES MASON

*Conferees on part of House*

JULIA LYNN

SUSAN WAGLE

*Conferees on part of Senate*

On motion of Rep. Hutton the conference committee report on **SB 154** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Hutton, Mason and Frownfelter as second conferees on the part of the House.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2135** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

TY MASTERSON

JIM DENNING

*Conferees on part of Senate*

RON RYCKMAN

SHARON SCHWARTZ

JERRY HENRY

*Conferees on part of House*

On motion of Rep. Ryckman the conference committee report on **S Sub for HB 2135** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Schwartz and Henry as second conferees on the part of the House.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2042** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK  
MICHAEL O'DONNELL, II  
*Conferees on part of Senate*

DANIEL R. HAWKINS  
SUSAN CONCANNON  
*Conferees on part of House*

On motion of Rep. Hawkins the conference committee report on **S Sub for HB 2042** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Concannon and Ward as second conferees on the part of the House.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2149** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK  
MICHAEL O'DONNELL, II  
*Conferees on part of Senate*

DANIEL R. HAWKINS  
SUSAN CONCANNON  
*Conferees on part of House*

On motion of Rep. Hawkins the conference committee report on **S Sub for HB 2149** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Concannon and Ward as second conferees on the part of the House.

## REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 175** be passed.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 67**, by Representative Greg Lewis, congratulating St. John High School Boys Basketball Team for winning the 2A Kansas State Basketball Championship for 2015;

**Request No. 68**, by Representative Becky Hutchins, congratulating Holton High School 2015 Wrestling Team for winning 3<sup>rd</sup> Place in the 4A Kansas State Wrestling Tournament;

**Request No. 69**, by Representative John Alcalá, commending Gabriel J. Alcalá, in recognition of his awards, accomplishments, service and retirement from the United States Air Force;

**Request No. 70**, by Representative Brandon Whipple, congratulating Wichita South High School Girls Basketball Team for winning the 6A Kansas State Basketball Championship for 2015;

**Request No. 71**, by Representative Brandon Whipple, congratulating Antwain Scales in recognition of being named 2015 Class 6A Girls Basketball Coach of the Year;

**Request No. 72**, by Representative Brandon Whipple, congratulating Cara Ledy, Principal of Wichita South High School for being named the KASSP High School Principal of the Year;

**Request No. 73**, by Representative John Whitmer, congratulating Campus High School Girls Bowling Team in recognition for winning the 2015 Class 6A Kansas State Girls Bowling Championship;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2419**, AN ACT concerning taxation; relating to the taxation of moneys, notes and other evidences of indebtedness; providing for the administration, collection and enforcement of the tax thereon, by Committee on Taxation.

**HB 2420**, AN ACT concerning property taxation; relating to exemptions; taxes levied by or on behalf of a school district, by Committee on Taxation.

**HB 2421**, AN ACT concerning property taxation; relating to exemptions; qualifying pipeline property; sunset of exemption for future taxpayers and retention of exemptions for existing taxpayers; amending K.S.A. 2014 Supp. 79-227 and repealing the existing

section, by Committee on Taxation.

**HB 2422**, AN ACT concerning property taxation; relating to valuation, appeals; amending K.S.A. 2014 Supp. 79-1404a, 79-1494 and 79-2005 and repealing the existing sections, by Committee on Taxation.

**HB 2423**, AN ACT concerning property taxation; relating to the state-wide school levy; amending section 11 of 2015 House Substitute for Senate Bill No. 7 and repealing the existing section. , by Committee on Taxation.

**HB 2424**, AN ACT concerning property taxation; relating to the state-wide school levy, rate of taxation, exempt property; amending section 11 of 2015 House Substitute for Senate Bill No. 7 and repealing the existing section, by Committee on Taxation.

**HB 2425**, AN ACT concerning income taxation; relating to rates, rate reductions; amending K.S.A. 2014 Supp. 79-32,110 and repealing the existing section; also repealing K.S.A. 2014 Supp. 79-32,269, by Committee on Taxation.

### COMMITTEE ASSIGNMENT CHANGE

Speaker pro tem Mast announced the appointment of Rep. Sawyer to replace Rep. Carlin on Committee on Appropriations on April 23 and 24 only.

On motion of Rep. Vickrey, the House recessed until 3:30 p.m..

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### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 154**, and has appointed Senators Lynn, Wagle and Holland as second conferees on the part of the Senate.

Announcing passage of **SB 274**, as amended.

Announcing passage of **HB 2003**, as amended, **HB 2154**, as amended, and **S Sub for HB 2258**, as amended.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

**SB 274.**

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hutton to concur in Senate amendments to **S Sub for HB 2258**, Rep. Ward offered a substitute motion to nonconcur and that a conference committee be appointed. The motion of Rep. Ward did not prevail.

The question reverted back to the motion of Rep. Hutton and the House concurred to Senate amendments to **S Sub for HB 2258**, AN ACT concerning social welfare; Kansas department for children and families; eligibility requirements for assistance; amending K.S.A. 17-2263, 17-5828, 39-709b, 59-1301 and 59-3504 and K.S.A. 2014 Supp. 9-1215, 9-1216, 16-311, 17-2264, 17-5829, 39-702, 39-709, 39-709c, 39-753, 39-756a,

59-2222, 59-2247, 59-2801 and 59-3086 and repealing the existing sections; also repealing K.S.A. 39-7,101, 39-7,106, 39-7,107, 39-7,110 and 75-5364 and K.S.A. 2014 Supp. 39-7,102, 39-7,103, 39-7,104, 39-7,105, 39-7,108, 39-7,109 and 39-7,122.

On roll call, the vote was: Yeas 87; Nays 35; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Hill, Houston, Kueher, Lane, Lusk, Lusker, Ousley, Rooker, Ruiz, Sawyer, Smith, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Kleeb, Sloan

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **S Sub for HB 2258**. In a time when childhood poverty and homelessness is on the rise in Kansas it is not prudent to restrict one of the only lifelines available to combat poverty. Kansans who are receiving assistance have fallen on hard times and are using these programs as a means to merely make ends meet. This legislation only makes it more difficult for Kansans to lift themselves out of poverty. I cannot in good conscience vote for this bill. – CAROLYN BRIDGES, BRODERICK HENDERSON, HAROLD LANE, JOHN ALCALA, GAIL FINNEY, VALDENIA WINN, RODERICK HOUSTON, JARROD OUSLEY, DENNIS “BOOG” HIGHBERGER, STAN FROWNFELETER, PAM CURTIS, ED TRIMMER, TOM BURROUGHS, LOUIS RUIZ, SYDNEY CARLIN, PONKA-WE VICTORS, JOHN WILSON

On motion of Rep. Houser to concur in Senate amendments to **HB 2003**, Rep. Alcalá offered a substitute motion to nonconcur in Senate amendments and that a conference committee be appointed. The substitute motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Huebert, Phillips and Alcalá as conferees on the part of the House.

On motion of Rep. Goico, the House nonconcurrred in Senate amendments to **HB 2154** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Goico, Osterman and Lane as conferees on the part of the House.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on

House amendments to **SB 154** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

- On page 53, by striking all in lines 42 and 43;
- By striking all on pages 54 through 63;
- On page 64, by striking all in lines 1 through 3; in line 5, by striking ", 44-717";
- And by renumbering sections accordingly;
- On page 1, in the title, in line 4, by striking all after "44-714"; in line 5, by striking "717";

And your committee on conference recommends the adoption of this report.

MARK HUTTON

LES MASON

*Conferees on part of House*

JULIA LYNN

SUSAN WAGLE

*Conferees on part of Senate*

On motion of Rep. Hutton to adopt the conference committee report on **SB 154**, Rep. Frownfelter offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Frownfelter did not prevail.

The question reverted back to the motion of Rep. Hutton and the conference committee report was adopted.

On roll call, the vote was: Yeas 85; Nays 36; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Anthimides, Ballard, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Doll, Finney, Frownfelter, Henderson, Henry, Highberger, Hill, Houston, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Rooker, Ruiz, Sawyer, Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Kleeb, Rhoades, Sloan.



## EXPLANATION OF VOTE

MR. SPEAKER: Everyone who works hard deserves the right to get ahead, which is why I am voting NO on **SB 154**. This legislation decreases the employer contributions to the Unemployment Insurance Trust Fund and simultaneously limits the maximum weekly unemployment insurance benefit available to a Kansas worker. In doing so, it prioritizes the interests of big business over the needs of middle class and working families. For these reasons, I am voting NO on this unfair and damaging piece of legislation. – CAROLYN BRIDGES, BRODERICK HENDERSON, HAROLD LANE, JOHN ALCALA, GAIL FINNEY, PAM CURTIS, ED TRIMMER, KATHY WOLFE MOORE, DENNIS “BOOG” HIGHBERGER

## MESSAGES FROM THE SENATE

- The Senate adopts the Conference Committee report on **HB 2013**.
- The Senate adopts the Conference Committee report on **HB 2044**.
- The Senate adopts the Conference Committee report on **HB 2064**.
- The Senate adopts the Conference Committee report on **S Sub for HB 2090**.
- The Senate adopts the Conference Committee report on **S Sub for HB 2101**.
- The Senate adopts the Conference Committee report on **HB 2111**.
- The Senate adopts the Conference Committee report on **S Sub for HB 2225**.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2101** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2101, as follows:

On page 1, by striking all in lines 9 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 36 and inserting the following:

"Section 1. K.S.A. 2014 Supp. 74-4952 is hereby amended to read as follows: 74-4952. As used in K.S.A. 74-4951 et seq., and amendments thereto:

(1) "Accumulated contributions" means the sum of all contributions by a member to the system which shall be credited to the member's account with interest allowed thereon after June 30, 1982.

(2) "Disability" means the total inability to perform permanently the duties of the position of a policeman or fireman.

(3) "Eligible employer" means any city, county, township or other political subdivision of the state employing one or more employees as firemen or policemen.

(4) "Employee" means any policeman or fireman employed by a participating employer whose employment for police or fireman purposes is not seasonal or temporary and requires at least 1,000 hours of work per year.

(5) "Entry date" means the date as of which an eligible employer joins the system; the first entry date pursuant to this act is January 1, 1967.

(6) "Final average salary" means:

(a) For members who are first hired as an employee, as defined in subsection (4),

before July 1, 1993, the average highest annual compensation paid to a member for any three of the last five years of participating service immediately preceding retirement or termination of employment, or if participating service is less than three years, then the average annual compensation paid to the member during the full period of participating service, or if a member has less than one calendar year of participating service, then the member's final average salary shall be computed by multiplying the member's highest monthly salary received in that year by 12;

(b) for members who are first hired as an employee, as defined in subsection (4), on and after July 1, 1993, the average highest annual salary, as defined in ~~subsection (33) of K.S.A. 74-4902(33)~~, and amendments thereto, paid to a member for any three of the last five years of participating service immediately preceding retirement or termination of employment, or if participating service is less than three years, then the average annual salary, as defined in ~~subsection (34) of K.S.A. 74-4902(33)~~, and amendments thereto, paid to the member during the full period of participating service, or if a member has less than one calendar year of participating service, then the member's final average salary shall be computed by multiplying the member's highest monthly salary received in that year by 12;

(c) for purposes of subparagraphs (a) and (b) of this subsection, the date that such member is first hired as an employee for members who are employees of employers that elected to participate in the system on or after January 1, 1994, shall be the date that such employee's employer elected to participate in the system; and

(d) for any application to purchase or repurchase service credit for a certain period of service as provided by law received by the system after May 17, 1994, for any member who will have contributions deducted from such member's compensation at a percentage rate equal to two or three times the employee's rate of contribution or who will have contributions deducted from such member's compensation at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4919, and amendments thereto, or will begin paying to the system a lump-sum amount for such member's purchase or repurchase, and such deductions or lump-sum payment commences after the commencement of the first payroll period in the third quarter, "final average salary" shall not include any amount of compensation or salary which is based on such member's purchase or repurchase. Any application to purchase or repurchase multiple periods of service shall be treated as multiple applications.

(e) Notwithstanding any other provision of this section, for purposes of applying limits as provided by the federal internal revenue code, salary shall have the meaning as determined pursuant to K.S.A. 74-49,123, and amendments thereto.

(7) "Retirement benefit" means a monthly income or the actuarial equivalent thereof paid in such manner as specified by the member as provided under the system or as otherwise allowed to be paid at the discretion of the board, with benefits accruing from the first day of the month coinciding with or following retirement and ending on the last day of the month in which death occurs. Upon proper identification such surviving spouse may negotiate the warrant issued in the name of the retiree.

(8) "Normal retirement date" means the date on or after which a member may retire with eligibility for retirement benefits for age and service as provided in ~~subsections (1) and (3) of K.S.A. 74-4957(1) and (3)~~, and amendments thereto.

(9) "Retirement system" or "system" means the Kansas police and firemen's

retirement system as established by this act and as it may be hereafter amended.

(10) "Service-connected" means with regard to a death or any physical or mental disability, any such death or disability resulting from external force, violence or disease occasioned by an act of duty as a policeman or fireman and, for any member after five years of credited service, there shall be a rebuttable presumption, that any death or disability resulting from a heart disease or disease of the lung or respiratory tract or cancer as provided in this subsection, except that in the event that the member ceases to be a contributing member by reason of a service-connected disability for a period of six months or more and then again becomes a contributing member, the provision relating to death or disability resulting from a heart disease, disease of the lung or respiratory tract or cancer as provided in this subsection shall not apply until such member has again become a contributing member for a period of not less than two years or unless clear and precise evidence is presented that the heart disease, disease of the lung or respiratory tract or cancer as provided in this subsection was in fact occasioned by an act of duty as a policeman or fireman. If the retirement system receives evidence to the contrary of such presumption, the burden of proof shall be on the member or other party to present evidence that such death or disability was service-connected. The provisions of this section relating to the presumption that the death or disability resulting from cancer is service-connected shall only apply if the condition that caused the death or disability is a type of cancer which may, in general, result from exposure to heat, radiation or a known carcinogen.

(11) Prior to July 1, 1998, "fireman" or "firemen" means an employee assigned to the fire department and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom or in support thereof and who is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of the participating employer and certified to the retirement system as such. On and after July 1, 1998, "fireman" or "firemen" means an employee assigned to the fire department whose principal duties are engagement in the fighting and extinguishment of fires and the protection of life and property therefrom and who is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of the participating employer and certified to the retirement system as such.

(12) Prior to July 1, 1998, "police," "policeman" or "policemen" means an employee assigned to the police department and engaged in the enforcement of law and maintenance of order within the state and its political subdivisions, including sheriffs and sheriffs' deputies, or in support thereof and who is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of the participating employer and certified to the retirement system as such. On and after July 1, 1998, "police," "policeman" or "policemen" means an employee assigned to the police department whose principal duties are engagement in the enforcement of law and maintenance of order within the state and its political subdivisions, including sheriffs and sheriffs' deputies; who has successfully completed the required course of instruction for law enforcement officers approved by the Kansas law enforcement training center and is certified pursuant to the provisions of K.S.A. 74-5607a, and amendments thereto; and who is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of the participating employer and certified to the retirement system as such. ~~Notwithstanding any other provisions of this subsection,~~

"police," "policeman" or "policemen" shall include a city or county correctional officer who is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of the participating employer and certified to the retirement system as such commencing on July 1, 1998, and ending on June 30, 1999. "Police," "policeman" or "policemen" who have been assigned to the police department, whose duties have included engagement in the enforcement of law and maintenance of order within the state and its political subdivisions, who have been certified pursuant to K.S.A. 74-5607a, and amendments thereto, who have been designated as "police," "policeman" or "policemen" as provided in this subsection and for whom required contributions have been made to the Kansas police and firemen's retirement system shall not be denied benefits due to a temporary or full-time assignment to a jail, adult detention center or other correctional facility by the state or any of its political subdivisions, and this provision shall be applied retroactively to July 1, 1999, to any member meeting such requirements as provided in this enactment.

(13) Except as otherwise defined in this act, words and phrases used in K.S.A. 74-4951 et seq., and amendments thereto, shall have the same meanings ascribed to them as are defined in K.S.A. 74-4902, and amendments thereto.

Sec. 2. K.S.A. 2014 Supp. 74-4952 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 5; in line 6, by striking all before the period and inserting "concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; defining eligible employees as police; providing retroactive application; amending K.S.A. 2014 Supp. 74-4952 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

JEFF KING  
JEFF LONGBINE  
ANTHONY HENSLEY  
*Conferees on part of Senate*

STEVEN C. JOHNSON  
KENT THOMPSON  
ED TRIMMER  
*Conferees on part of House*

On motion of Rep. Johnson, the conference committee report on **S Sub for HB 2101** was adopted.

Call of the House was demanded

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins,

Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Hill, Kleeb, Rhoades, Sloan.

Upon unanimous consent, the House referred back to the order of business, Introduction of Bills and Concurrent Resolutions.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Vickrey, **HCR 5017**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

**HCR 5017** – A CONCURRENT RESOLUTION amending 2015 House Concurrent Resolution No. 5016, relating to the adjournment of the senate and house of representatives for periods during the 2015 regular session of the legislature.

*Be it resolved by the the House of Representatives of the State of Kansas, the Senate concurring therein:* That 2015 House Concurrent Resolution No. 5016 is hereby amended to read as follows: "That the legislature shall adjourn at the close of business of the daily session convened on March 25, 2015, and shall reconvene on March 30, 2015, pursuant to adjournment of the daily session convened on March 25, 2015; and

*Be it further resolved:* That the legislature shall adjourn at the close of business of the daily session convened on April 3 2, 2015, and shall reconvene on April 29, 2015, pursuant to adjournment of the daily session convened on April 3 2, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a (a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and

amendments thereto."

**REPORT ON ENGROSSED BILLS**

**HB 2216, HB 2259** reported correctly re-engrossed April 1, 2015.

**REPORT ON ENROLLED RESOLUTIONS**

**HCR 5016** reported correctly enrolled and properly signed on April 2, 2015.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m., Wednesday, April 29, 2015.

# Journal of the House

## FIFTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, April 29, 2015, 2:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 119 members present.

Reps. Ballard, Kelley, Lusker, Moxley, Sloan and Whitmer were excused on excused absence by the Speaker.

Prayer by the Rev. William David Jenkins, pastor, Episcopal Church of the Covenant, Junction City, and guest of Rep. Clark:

I invoke the Holiness of Your Presence as the House comes back from its mid-session break for the beginning of this “wrap-up session.” I pray for each member of this House, for their work on the State Budget, the remaining bills that await their consideration and their collaboration with the Senate. May each of our legislators daily seek Your wisdom and guidance as they seek to serve the greater good for all Kansans. Bless now the proceedings of this House Chambers with Your keeping Presence. For this I pray in the Holiness of Your Name. Amen

The Pledge of Allegiance was led by Rep. Trimmer.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Hineman are spread upon the Journal:

We frequently recognize sports teams but seldom do we have the opportunity to recognize a team from far western Kansas due to the travel time involved. So when a team travels four hours to Topeka to be recognized you can be assured there are special circumstances.

This spring the Hoxie High School women’s basketball team won the Kansas State High School Athletics Association Class 1A State Championship for the fourth time in a row. The team is currently riding a win streak of 95 consecutive wins, eclipsing the previous state record of 91 consecutive wins established by Little River from 1995 to 1998. Last fall the University of Connecticut women’s basketball team and the Hoxie High School women’s basketball team both began the 2015-2016 season with identical

consecutive win streaks of 73. Connecticut women lost their first game and their streak ended at 73. The Hoxie women went through the season undefeated and carry their remarkable string forward into 2015-2016.

USA Today awarded the Hoxie team the title of Best Women's Basketball Program for 2015, beating out Louisiana's Friendship Capitol and Oklahoma's Deer Creek.

These accomplishments are truly special but perhaps the most impressive of their accomplishments is this: the team gpa is 3.87!

The following team members have received numerous league honors as well as recognition by Wichita Eagle and Topeka Capital Journal: seniors Carly Heim and Lexi Schamberger, junior Terran Hoyt, and sophomores Erin Carter and Brynn Niblock. Other team members are juniors Lara Stephens, Serena McCown, and Kelsey Geerdes, sophomores Nicole Heim, and freshmen Rebekah Castle, Lilly Schamberger, and Brooke Dorencamp.

Coach of the team is Shelly Hoyt and assistant coach is Emily Bogue. Coach Hoyt has also achieved individual honors, having received Coach of the Year recognition from Wichita Eagle, Topeka Capital Journal, Kansas Basketball Coaches Association, and Sports in Kansas.

Please join me in congratulating this team of remarkable student-athletes.

Rep. Hineman presented the team with a House certificate.

## **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Becker are spread upon the Journal:

It is my honor this afternoon to introduce to my legislative family some special students from my school district Buhler USD 313. Joining me at the well is the Buhler Special Olympics basketball team with its volunteer coach and sponsors. Earlier this month the team traveled to the state tournament in Hays, America. The team returned to Buhler with the Special Olympics, Kansas, Level 3-Senior State Basketball Championship.

I would like to recognize the individual team members: Lexi Haugsness, Riley Kloepfner, Haden Nickell, Cormac Pittman, Elizabeth Pittman and Luke Starkey. The coach and sponsors are: Shirleen Augustine, Ray Augustine and Teresa Enneking.

I have invited them to join us this evening for our charity shrimp peel and auction, but regretfully they cannot. Therefore I suggest that during our festivities this evening as we bid and purchase we keep these faces in our collective mind and in our heart. Please join me in making these students feel welcome in our House.

Rep. Becker presented a framed House certificate to Coach Augustine.

## **PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Francis are spread upon the Journal:

Today I have left on your desk a blue Pinwheel for Prevention, which is a reminder that April is Child Abuse Prevention Month. As I look around this room I know there



are many opinions out there but the one that we all can agree on is that we want Kansas Children to grow up safe and happy. Although April is just about over, I hope you will wear this pin as a reminder that Kansas children need our continued support not just in April but every day.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Whipple are spread upon the Journal:

Members of the body, colleagues, and friends, it is an honor to welcome back to the Kansas State House chambers the Lady Titans of Wichita South High School. For an unprecedented third year in a row we recognize them as the 2015 Class 6A Girls State Championship. The Lady Titans are the first 6A Women's Basketball team to ever earn three State Championships consecutively. The team's overall record for the past three years is 71-4. In addition to this athletic accomplishment, the team has an cumulative GPA of 3.25 and every senior has the opportunity to continue their education at no cost.

The members of this year's championship team are Kendrian Elliott, Krissandra Pollard, Trezure Jobe, Mauri Scales, Kyra Ivy, Ericka Mattingly, Destiny Pittman, Kyla Callins, Kirea Rogers, Patriece Dodson, Sydni James and Deionne White. Alternate members are Tara Matingly and Aniya Keeling. With Head Coach Antwain Scales and Assistant Coaches Heidi Dreiling and Wayne Riddle.

Ladies, you represent the best of our community, and you make us proud. I have no doubt that the values of hard work and success that you have demonstrated will carry each of you far, as you chase future goals. We are honored to have you here to share in this accomplishment, and we look forward to your future successes.

Now this level of consistent success does not happen in a vacuum. These young ladies, and all the students who attend Wichita South High School benefit from caring, talented and dedicated teachers, administrators and staff who create an environment that grows success.

Coach Scales, your hard work with these young ladies has not only developed champions within them, but it has also brought our community the pride that comes with a consistent, back to back to back State titles. This year you were named the Kansas Coach of the Year and we would like to recognize this honor as it is well deserved.

Principal Ledy, Your work with the students, the teachers and the community of Wichita South High school has earned you the distinct honor of Principal of the Year. Our community is blessed to have a talent such as you working with our kids, and we would like to honor your commitment and hard work today as well.

Friends, please join me in congratulating the Lady Titans, Coach Scales and his staff and Principal Ledy.

Rep. Whipple presented the coach, players and principal with framed House certificates.

**PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Merrick are spread upon the Journal:

Charlene Swanson is completing her 40<sup>th</sup> session working for the Kansas state legislature. She started as one of the original Senate File Clerks in the 1976 session and moved to the House Clerk's office the next year. She has performed several functions over the years, but is most recognized as the Chief Journal Clerk, a position she has held for many sessions. She has seen many changes to the way the legislature does business—from typewriters, carbon paper, scissors and tape to full computerization and real time electronic publication. And she keeps me straight when I'm in the chair.

We congratulate and commend Charlene Swanson and thank her for her dedicated service.

Rep. Merrick presented Charlene with a framed House certificate.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Judiciary: **HB 2418**.

Taxation: **HB 2419, HB 2420, HB 2421, HB 2422, HB 2423, HB 2424, HB 2425**.

Transportation: **SB 274**.

**CHANGE OF REFERENCE**

Speaker pro tem Mast announced the withdrawal of **SB 11, SB 14, SB 34** from Committee on Taxation and rereferral to Committee on Judiciary.

Also, the withdrawal of **H Sub for SB 12, H Sub for SB 112** from Committee on Taxation and rereferral to Committee on Veterans, Military and Homeland Security.

**MESSAGES FROM THE GOVERNOR**

**HB 2006, HB 2009, HB 2103, HB 2126, HB 2192, HB 2193, HB 2246, HB 2254, HB 2275, HB 2336** approved on April 8, 2015.

Also, **S Sub for HB 2101, HB 2216, HB 2259** approved on April 15, 2015.

Also, **S Sub for HB 2258** approved on April 16, 2015.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **H Sub for SB 117**.

The Senate adopts the Conference Committee report on **SB 127**.

The Senate adopts the Conference Committee report on **SB 228**.

The Senate accedes to the request of the House for a conference on **HB 2003** and has appointed Senators Pyle, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

The Senate concurs in House amendments to **H Sub for SB 36**, and requests return of the bill.

The Senate concurs in House amendments to **SB 124**, and requests return of the bill.

The Senate concurs in House amendments to **SB 156**, and requests return of the bill.

The Senate concurs in House amendments to **SB 240**, and requests return of the bill.

Also, announcing adoption of **HCR 5017**.

Also, the Senate accedes to the request of the House for a conference on **HB 2154** and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

The Senate announced the appointment of Senator Hensley to replace Senator Pettey as a conferee on **S Sub for Sub HB 2170**.

#### **CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 52** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 26, before "allow" by inserting "within the rattlesnake creek subbasin located in hydrologic unit code 11030009,";

On page 11, following line 26, by inserting the following:

"Sec. 6. K.S.A. 2014 Supp. 82a-1604 is hereby amended to read as follows: 82a-1604. (a) The state may participate with a sponsor in the development, construction or renovation of a class I multipurpose small lake project if the sponsor has a general plan which has been submitted to and approved by the chief engineer in the manner provided by K.S.A. 24-1213 and 24-1214, and amendments thereto. If the Kansas water office determines that additional public water supply storage shall be needed in that area of the state within 20 years from the time such project is to be completed and a water user is not available to finance public water supply storage, the state may include future use public water supply storage in the project. The Kansas water office shall apply for a water appropriation right sufficient to insure a dependable yield from the public water supply storage. The Kansas water office shall be exempt from all applicable fees imposed pursuant to K.S.A. 82a-701 et seq., and amendments thereto, for such applications. The Kansas water office shall have authority to adopt rules and regulations relative to the inclusion of public water supply storage in proposed projects under this act and the disposition of state-owned water rights and associated public water supply storage space in such projects.

(b) The sponsor of such class I project shall be responsible for acquiring land rights and for the costs of operation and maintenance of such project. The state may provide up to 50% of the engineering and construction costs and up to 50% of the costs of land rights associated with recreation features. Subject to the provisions of subsections (a) and (c), the state may pay up to 100% of the engineering and construction costs of flood control and public water supply storage. All other costs of such project, including land, construction, operation and maintenance shall be paid by the sponsor.

(c) The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.

(d) The Kansas water office may recover the state's costs incurred in providing public water supply storage in such class I project, and interest on such costs, by selling such storage and the associated water rights. Interest on such costs shall be computed at

~~a rate per annum which is equal to the greater of: (1) The average rate of interest earned the past calendar year on repurchase agreements of less than 30 days' duration entered into by the pooled money investment board, less 5%; or (2) four percent equal to the average of the monthly net earnings rate for the pooled money investment portfolio for the preceding calendar year for each year of storage.~~

Sec. 7. K.S.A. 2014 Supp. 82a-1605 is hereby amended to read as follows: 82a-1605. (a) The state may participate with a sponsor in the development, construction or renovation of a class II multipurpose small lake project if the sponsor has a general plan which has been submitted to and approved by the chief engineer in the manner provided by K.S.A. 24-1213 and 24-1214, and amendments thereto. If the Kansas water office determines that additional public water supply storage shall be needed in that area of the state within 20 years from the time such project is to be completed and a water user is not available to finance public water supply storage, the state may include future use public water supply storage in the project. The Kansas water office shall apply for a water appropriation right sufficient to insure a dependable yield from public water supply storage. The Kansas water office shall be exempt from all applicable fees imposed pursuant to K.S.A. 82a-701 et seq., and amendments thereto, for such applications. The Kansas water office shall have authority to adopt rules and regulations relative to the inclusion of public water supply storage in proposed projects under this act and the disposition of state-owned water rights and associated public water supply storage space in such projects.

(b) In a class II project, the state may assume initial financial obligations for public water supply storage in watersheds by entering into long-term contracts with the federal government. In order to provide security to the federal government, the state may grant assignments of water rights, either appropriation rights or water reservation rights; assignments of rights under existing or prospective water purchase contracts; assignments, mortgages or other transfers of interests in real property held by the state and devoted to the specific small lake project for which security is sought; or may provide other security that is permissible under state law and acceptable by the federal government. Instead of contracting to repay costs under long-term contracts, the state may pay all of the required costs of the public water supply storage in a lump sum.

(c) The sponsor of such class II project shall be responsible for acquiring land rights and for the costs of operation and maintenance of such project. The state or federal government may provide up to 50% of the engineering and construction costs and up to 50% of the costs of land rights associated with recreation features. Subject to the provisions of subsection (d), the state may pay up to 100% of the engineering and construction costs of flood control and public water supply storage. All other costs of such project, including land, construction, operation and maintenance shall be paid by the sponsor.

(d) The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.

(e) The Kansas water office may recover the state's costs incurred in providing public water supply storage in such class II project, and interest on such costs, by selling such storage and the associated water rights. Interest on such costs shall be

computed at a rate per annum ~~which is equal to the greater of: (1) The average rate of interest earned the past calendar year on repurchase agreements of less than 30 days' duration entered into by the pooled money investment board, less 5%; or (2) four percent equal to the average of the monthly net earnings rate for the pooled money investment portfolio for the preceding calendar year for each year of storage.~~

Sec. 8. K.S.A. 2014 Supp. 82a-1606 is hereby amended to read as follows: 82a-1606. (a) The state may participate with a sponsor in the development, construction or renovation of a class III multipurpose small lake project if the sponsor has a general plan which has been submitted to and approved by the chief engineer in the manner provided by K.S.A. 24-1213 and 24-1214, and amendments thereto. If public water supply storage is included in the project, the sponsor of such class III project shall pay for 100% of the costs associated with the public water supply storage portion of such project unless the Kansas water office determines that additional public water supply storage shall be needed in that area of the state within 20 years from the time such project is to be completed and a sponsor is not available to finance 100% of the costs associated with the public water supply storage, the state may participate in the future use public water supply storage costs of the project. If the state participates in the public water supply storage costs, the Kansas water office shall apply for a water appropriation right sufficient to insure a dependable yield from public water supply storage. The Kansas water office shall be exempt from all applicable fees imposed pursuant to K.S.A. 82a-701 et seq., and amendments thereto, for such applications. The Kansas water office shall have authority to adopt rules and regulations relative to the inclusion of public water supply storage in proposed projects under this act and the disposition of state-owned water rights and associated public water supply storage space in such projects.

(b) The sponsor of such class III project shall be responsible for acquiring land rights and for the costs of operation and maintenance of the project. The state may provide up to 50% of the engineering and construction costs and up to 50% of the costs of land rights associated with recreation features. Subject to the provisions of subsection (c), the state may pay up to 100% of the engineering and construction costs of flood control storage and public water supply storage. All other costs of such project, including land, construction, operation and maintenance, shall be paid by the sponsor.

(c) The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.

(d) The Kansas water office may recover the state's costs incurred in providing public water supply storage in such class III project, and interest on such costs, by selling such storage and the associated water rights. Interest on such costs shall be computed at a rate per annum ~~which is equal to the greater of: (1) The average rate of interest earned the past calendar year on repurchase agreements of less than 30 days' duration entered into by the pooled money investment board, less 5%; or (2) four percent equal to the average of the monthly net earnings rate for the pooled money investment portfolio for the preceding calendar year for each year of storage.~~;

Also on page 11, in line 28, by striking "and" and inserting a comma; also in line 28, after "82a-1041" by inserting ", 82a-1604, 82a-1605 and 82a-1606";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "public water supply storage."; in line 4, by striking the first "and" and inserting a comma; also in line 4, after "82a-1041" by inserting ", 82a-1604, 82a-1605 and 82a-1606";

And your committee on conference recommends the adoption of this report.

SHARON SCHWARTZ

Sue Boldra

Ponka-We Victors

*Conferees on part of House*

LARRY POWELL

Dan Kerschen

Marci Francisco

*Conferees on part of Senate*

On motion of Rep. Schwartz, the conference committee report on **SB 52** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Kelley, Lusker, Moxley, Sloan, Whitmer.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 189** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 10, following line 20, by inserting:

"(i) The dean of the college shall annually submit a report to the senate committee on agriculture and the house committee on agriculture and natural resources. Such

annual report shall include details on the veterinary training program for rural Kansas, the veterinary diagnostic laboratory, the national bio and agro defense facility and other programs of the college.";

Also on page 10, in line 26, by striking all after "euthanasia"; by striking all in line 27; in line 28, by striking all before the period and inserting ". The commissioner shall promulgate rules and regulations by December 31, 2015, regarding acceptable methods of euthanasia. Such acceptable methods may be more stringent than those established by the American veterinary medical association";

And your committee on conference recommends the adoption of this report.

SHARON SCHWARTZ  
SUE BOLDR  
PONKA-WE VICTORS  
*Conferees on part of House*

GARRETT LOVE  
DAN KERSCHEN  
MARCI FRANCISCO  
*Conferees on part of Senate*

On motion of Rep. Schwartz, the conference committee report on **SB 189** was adopted.

On roll call, the vote was: Yeas 105; Nays 14; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kleeb, Kuether, Lewis, Lunn, Lusk, Mason, Mast, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Campbell, DeGraaf, Garber, Grosserode, K. Jones, Kiegerl, Lane, Macheers, McPherson, Peck, Rhoades, Rubin, Scapa, Sutton.

Present but not voting: None.

Absent or not voting: Ballard, Kelley, Lusker, Moxley, Sloan, Whitmer.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2064** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee

amendments, as follows:

On page 4, following line 3, by inserting:

"Sec. 4. K.S.A. 2014 Supp. 40-2,118 is hereby amended to read as follows: 40-2,118. (a) For purposes of this act a "fraudulent insurance act" means an act committed by any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, broker or any agent thereof, any written, electronic, electronic impulse, facsimile, magnetic, oral, or telephonic communication or statement as part of, or in support of, an application for the issuance of, or the rating of an insurance policy for personal or commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which such person knows to contain materially false information concerning any fact material thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto.

(b) An insurer that has knowledge or a good faith belief that a fraudulent insurance act is being or has been committed shall provide to the commissioner, on a form prescribed by the commissioner, any and all information and such additional information relating to such fraudulent insurance act as the commissioner may require.

(c) Any other person that has knowledge or a good faith belief that a fraudulent insurance act is being or has been committed may provide to the commissioner, on a form prescribed by the commissioner, any and all information and such additional information relating to such fraudulent insurance act as the commissioner may request.

(d) (1) Each insurer shall have antifraud initiatives reasonably calculated to detect fraudulent insurance acts. Antifraud initiatives may include: fraud investigators, who may be insurer employees or independent contractors; ~~or~~ and an antifraud plan submitted to the commissioner no later than July 1, 2007. Each insurer that submits an antifraud plan shall notify the commissioner of any material change in the information contained in the antifraud plan within 30 days after such change occurs. Such insurer shall submit to the commissioner in writing the amended antifraud plan.

The requirement for submitting any antifraud plan, or any amendment thereof, to the commissioner shall expire on the date specified in ~~paragraph (2) of this subsection (d)~~ (2) unless the legislature reviews and reenacts the provisions of ~~paragraph subsection (d)(2)~~ pursuant to K.S.A. 45-229, and amendments thereto.

(2) Any antifraud plan, or any amendment thereof, submitted to the commissioner for informational purposes only shall be confidential and not be a public record and shall not be subject to discovery or subpoena in a civil action unless following an in camera review, the court determines that the antifraud plan is relevant and otherwise admissible under the rules of evidence set forth in article 4 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto. The provisions of this paragraph shall expire on July 1, 2016, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2016.

(e) Except as otherwise specifically provided in ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5812 (a), and amendments thereto, and K.S.A. 44-5,125, and amendments thereto, a fraudulent insurance act shall constitute a severity level 6, nonperson felony if the amount involved is \$25,000 or more; a severity level 7, nonperson felony if the amount is at least \$5,000 but less than \$25,000; a severity level 8, nonperson felony if the amount is at least \$1,000 but less than \$5,000; and a class C nonperson



misdeemeanor if the amount is less than \$1,000. Any combination of fraudulent acts as defined in subsection (a) which occur in a period of six consecutive months which involves \$25,000 or more shall have a presumptive sentence of imprisonment regardless of its location on the sentencing grid block.

(f) In addition to any other penalty, a person who violates this statute shall be ordered to make restitution to the insurer or any other person or entity for any financial loss sustained as a result of such violation. An insurer shall not be required to provide coverage or pay any claim involving a fraudulent insurance act.

(g) This act shall apply to all insurance applications, ratings, claims and other benefits made pursuant to any insurance policy.

Sec. 5. K.S.A. 2014 Supp. 40-22a13 is hereby amended to read as follows: 40-22a13. On and after July 1, 2011, for the purposes of K.S.A. 40-22a13 through 40-22a16, and amendments thereto:

(a) "Adverse decision" means a utilization review determination by a third-party administrator, a health insurance plan, an insurer or a health care provider acting on behalf of an insured that a proposed or delivered health care service which would otherwise be covered under an insured's contract is not or was not medically necessary or the health care treatment has been determined to be experimental or investigational and:

(1) If the requested service is provided in a manner that leaves the insured with a financial obligation to the provider or providers of such services; or

(2) the adverse decision is the reason for the insured not receiving the requested services.

(b) "Emergency medical condition" means:

(1) The sudden, and at the time, unexpected onset of a health condition that requires immediate medical attention, where failure to provide medical attention would result in a serious impairment to bodily functions, serious dysfunction of a bodily organ or part or would place a person's health in serious jeopardy;

(2) a medical condition where the time frame for completion of a standard external review would seriously jeopardize the life or health of the insured or would jeopardize the insured's ability to regain maximum function; or

(3) a medical condition for which coverage has been denied based on a determination that the recommended or requested health care service or treatment is experimental or investigational, if the insured's treating physician certifies, in writing, that the recommended or requested health care service or treatment for the medical condition would be significantly less effective if not promptly initiated.

(c) "External review organization" means an entity that conducts independent external reviews of adverse decisions pursuant to a contract with the commissioner. Such entity shall ~~have experience serving as the external quality review organization in health programs administered by the state of Kansas, or~~ be a nationally accredited external review organization which utilizes health care providers actively engaged in the practice of their profession in the state of Kansas who are qualified and credentialed with respect to the health care service review. In the event the entity has no Kansas providers available who are qualified and credentialed with respect to the review of any case, the external review organization shall have the discretion to employ health care providers who actively engage in such health care provider's practice outside the state of Kansas.

(d) "Health insurance plan" means any hospital or medical expense policy, health, hospital or medical service corporation contract, and a plan provided by a municipal group-funded pool, or a health maintenance organization contract offered by an employer or any certificate issued under any such policies, contracts or plans.

(e) "Insured" means the beneficiary of any health insurance company, fraternal benefit society, health maintenance organization, nonprofit hospital and medical service corporation, municipal group-funded pool, and the self-funded coverage established by the state of Kansas, or any hospital or medical expense, health, hospital or medical service corporation contract or a plan provided by a municipal group-funded pool.

(f) "Insurer" means any health insurance company, fraternal benefit society, health maintenance organization, nonprofit hospital and medical service corporation, provider sponsored organizations, municipal group-funded pool and the self-funded coverage established by the state of Kansas for its employees.

Sec. 6. K.S.A. 40-2203 is hereby amended to read as follows: 40-2203. (A) Required provisions. Except as provided in paragraph (C) of this section every such policy delivered or issued for delivery to any person in this state shall contain the provisions specified in this subsection in the words in which the same appear in this section, but the insurer, at its option, may substitute for one or more of such provisions corresponding provisions of different wording approved by the commissioner of insurance which are in each instance not less favorable in any respect to the insured or the beneficiary. Such provisions shall be preceded individually by the caption appearing in this subsection or at the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner of insurance may approve.

(1) A provision as follows: "*Entire contract; changes*: This policy, including the endorsement and the attached papers, if any, constitutes the entire contract of insurance. No change in this policy shall be valid until approved by an executive officer of the insurer and unless such approval be endorsed hereon or attached hereto. No agent has authority to change this policy or to waive any of its provisions."

(2) A provision as follows: "*Time limit on certain defenses*: (a) After two years from the date of issue of this policy no misstatements, except fraudulent misstatement, made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such two-year period."

The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial two year period, nor to limit the application of subsections (B) (1), (2), (3), (4) and (5) in the event of misstatement with respect to age or occupation or other insurance.

A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age 50, or (2) in the case of a policy issued after age 44, for at least five years from its date of issue, may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption "*Incontestable*": "After this policy has been in force for a period of two years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements contained in the application.

(b) "No claim for loss incurred or disability (as defined in the policy) commencing after two years from the date of issue of this policy shall be reduced or denied on the

ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss has existed prior to the effective date of coverage of this policy."

(3) A provision as follows: "*Grace period:* A grace period of \_\_\_\_\_" (insert a number not less than "7" for weekly premium policies, "10" for monthly premium policies and "31" for all other policies) "days will be granted for the payment of each premium falling due after the first premium, during which grace period the policy shall continue in force." A policy which contains a cancellation provision may add, at the end of the above provision, "subject to the right of the insurer to cancel in accordance with the cancellation provision hereof." A policy in which the insurer reserves the right to refuse any renewal shall have, at the beginning of the above provision, "Unless not less than five days prior to the premium due date the insurer has delivered to the insured or has mailed to the last address as shown by the records of the insurer written notice of its intention not to renew this policy beyond the period for which the premium has been accepted."

(4) A provision as follows: "*Reinstatement:* If any renewal premium be not paid within the time granted the insured for payment, a subsequent acceptance of premium by the insurer or by any agent duly authorized by the insurer to accept such premium without requiring in connection therewith an application for reinstatement shall reinstate the policy. If the insurer or such agent requires an application for reinstatement and issues a conditional receipt for the premium tendered, the policy will be reinstated upon approval of such application by the insurer or, lacking such approval, upon the 45<sup>th</sup> day following the date such conditional receipt unless the insurer has previously notified the insured in writing of its disapproval of such application. The reinstated policy shall cover only loss resulting from such accidental injury as may be sustained after the date of reinstatement and loss due to such sickness as may begin more than ten days after such date. In all other respects the insured and insurer shall have the same rights thereunder as they had under the policy immediately before the due date of the defaulted premium, subject to any provisions endorsed hereon or attached hereto in connection with the reinstatement. Any premium accepted in connection with a reinstatement shall be applied to a period for which premium has not been previously paid, but not to any period more than 60 days prior to the date of reinstatement." The last sentence of the above provision may be omitted from any policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue.

(5) A provision as follows: "*Notice of claim:* Written notice of claim must be given to the insurer within 20 days after the occurrence or commencement of any loss covered by the policy, or as soon thereafter as is reasonably possible. Notice given by or on behalf of the insured or the beneficiary to the insurer at \_\_\_\_\_" (insert the location of such office as the insurer may designate for the purpose), "or to any authorized agent of the insurer, with information sufficient to identify the insured, shall be deemed notice to the insurer." In a policy providing a loss-of-time benefit which may be payable for at least two years, an insurer may at its option insert the following between the first and second sentences of the above provisions: "Subject to the qualification set forth below, if the insured suffers loss of time on account of disability for which indemnity may be payable for at least two years, he shall, at least once in

every six months after having given notice of claim, give to the insurer notice of continuance of said disability, except in the event of legal incapacity. The period of six months following any filing of proof by the insured or any payment by the insurer on account of such claim or any denial of liability in whole or in part by the insurer shall be excluded in applying this provision. Delay in the giving of such notice shall not impair the insured's right to any indemnity which would otherwise have accrued during the period of six months preceding the date on which such notice is actually given.

(6) A provision as follows: "*Claim forms*: The insurer, upon receipt of a notice of claim, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not furnished within 15 days after the giving of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, the character and the extent of the loss for which claim is made."

(7) A provision as follows: "*Proofs of loss*: Written proof of loss must be furnished to the insurer at its said office in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss within 90 days after the termination of the period for which the insurer is liable and in case of claim for any other loss within 90 days after the date of such loss. Failure to furnish such proof within the time required shall not invalidate nor reduce any claim if it was not reasonably possible to give proof within such time, provided such proof is furnished as soon as reasonably possible and in no event, except in the absence of legal capacity, later than one year from the time proof is otherwise required."

(8) A provision as follows: "*Time of payment of claims*: Indemnities payable under this policy for any loss other than loss for which this policy provides any periodic payment will be paid immediately upon receipt of due written proof of such loss. Subject to due written proof of loss, all accrued indemnities for loss for which this policy provides periodic payment will be paid \_\_\_\_\_" (insert period for payment which must not be less frequently than monthly) "and any balance remaining unpaid upon the termination of liability will be paid immediately upon receipt of due written proof."

(9) A provision as follows: "*Payment of claims*: Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment which may be prescribed herein and effective at the time of payment. If no such designation or provision is then effective, such indemnity shall be payable to the estate of the insured. Any other accrued indemnities unpaid at the insured's death, at the option of the insurer, may be paid either to such beneficiary or to such estate. All other indemnities will be payable to the insured." The following provisions, or either of them, may be included with the foregoing provision at the option of the insurer: "If any indemnity of this policy shall be payable to the estate of the insured, or to an insured or beneficiary who is a minor or otherwise not competent to give a valid release, the insurer may pay such indemnity, up to an amount not exceeding \$\_\_\_\_\_" (insert an amount which shall not exceed \$1,000), "to any relative by blood or connection by marriage of the insured or beneficiary who is deemed by the insurer to be equitably entitled thereto. Any payment made by the insurer in good faith pursuant to this provision shall fully discharge the insurer to the extent of such payment. Subject to any written direction of the insured in the application or otherwise all or a portion of any

indemnities provided by this policy on account of hospital, nursing, medical, or surgical services may, at the insurer's option and unless the insured requests otherwise in writing not later than the time of filing proofs of such loss, be paid directly to the hospital or person rendering such services; but it is not required that the service be rendered by a particular hospital or person."

(10) A provision as follows: "*Physical examinations and autopsy*: The insurer at its own expense shall have the right and opportunity to examine the person of the insured when and as often as it may reasonably require during the pendency of a claim hereunder and to make an autopsy in case of death where it is not forbidden by law."

(11) A provision as follows: "*Legal actions*: No action at law or in equity shall be brought to recover on this policy prior to the expiration of 60 days after written proof of loss has been furnished in accordance with the requirements of this policy. No such action shall be brought after the expiration of five years after the time written proof of loss is required to be furnished."

(12) A provision as follows: "*Change of beneficiary*: Unless the insured makes an irrevocable designation of beneficiary, the right to change of beneficiary is reserved to the insured and the consent of the beneficiary or beneficiaries shall not be requisite to surrender or assignment of this policy or to any change of beneficiary or beneficiaries, or to any other changes in this policy."

The first clause of this provision, relating to the irrevocable designation of beneficiary, may be omitted at the insurer's option.

(13) A provision as follows: "*Cancellation by insured*: The insured may cancel this policy at any time by written notice delivered or mailed to the insurer, effective upon receipt of such notice or on such later date as may be specified in such notice. In the event of cancellation or death of the insured, the insurer will promptly return the unearned portion of any premium paid. The earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued. Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation." When approved by the commissioner, the "cancellation" provision appearing in subsection (B)(8) may be substituted for the above.

(B) *Other provisions*: Except as provided in paragraph (C) of this section, no such policy delivered or issued for delivery to any person in this state shall contain provisions respecting the matters set forth below unless such provisions are in the words in which the same appear in this section, but the insurer may, at its option, use in lieu of any such provision a corresponding provision of different wording approved by the commissioner of insurance which is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy shall be preceded individually by the appropriate caption appearing in this subsection or, at the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner of insurance may approve.

(1) A provision as follows: "*Change of occupation*: If the insured be injured or contract sickness after having changed his occupation to one classified by the insurer as more hazardous than that stated in this policy or while doing for compensation anything pertaining to an occupation so classified, the insurer will pay only such portion of the indemnities provided in this policy as the premium paid would have purchased at the rates and within the limits fixed by the insurer for such more hazardous occupation. If

the insured changes his occupation to one classified by the insurer as less hazardous than that stated in this policy, the insurer, upon receipt of proof of such change of occupation, will reduce the premium rate accordingly, and will return the excess pro rata unearned premium from the date of change of occupation or from the policy anniversary date immediately preceding receipt of such proof, whichever is the more recent. In applying this provision, the classification of occupational risk and the premium rates shall be such as have been last filed by the insurer prior to the occurrence of the loss for which the insurer is liable or prior to date of proof of change in occupation with the state official having supervision of insurance in the state where the insured resided at the time this policy was issued; but if such filing was not required, then the classification of occupational risk and the premium rates shall be those last made effective by the insurer in such state prior to the occurrence of the loss or prior to the date of proof of change in occupation."

(2) A provision as follows: "*Misstatement of age*: If the age of the insured has been misstated, all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age."

(3) A provision as follows: "*Other insurance in this insurer*: If an accident or sickness or accident and sickness policy or policies previously issued by the insurer to the insured be in force concurrently herewith, making the aggregate indemnity for \_\_\_\_\_" (insert type of coverage or coverages) "in excess of \_\_\_\_\_" (insert maximum limit of indemnity or indemnities) "the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured or to his estate"; or, in lieu thereof: "Insurance effective at any one time on the insured under a like policy or policies in this insurer is limited to one such policy elected by the insured, his beneficiary or his estate, as the case may be, and the insurer will return all premiums paid for all other such policies."

(4) A provision as follows: "*Insurance with other insurers*: If there be other valid coverage, not with this insurer, providing benefits for the same loss on a provision of service basis or on an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability under any expense incurred coverage of this policy shall be for such proportion of the loss as the amount which would otherwise have been payable hereunder plus the total of the like amounts under all such other valid coverages for the same loss of which this insurer had notice bears to the total like amounts under all valid coverages for such loss, and for the return of such portion of the premiums paid as shall exceed the pro rata portion for the amount so determined. For the purpose of applying this provision when other coverage is on a provision of service basis, the 'like amount' of such other coverage shall be taken as the amount which the services rendered would have cost in the absence of such coverage." If the foregoing policy provision is included in a policy which also contains the next following policy provision there shall be added to the caption of the foregoing provision the phrase "\_\_\_\_\_ expense incurred benefits." The insurer, at its option, may include in this provision a definition of "other valid coverage," approved as to form by the commissioner of insurance, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and by hospital or medical service organizations, and to any other coverage the inclusion of which may be approved by the

commissioner of insurance. In the absence of such definition such term shall not include group insurance, automobile medical payments insurance, or coverage provided by hospital or medical service organizations or by union welfare plans or employer or employee benefit organizations. For the purpose of applying the foregoing policy provision with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice. In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage." The provisions of this paragraph shall not apply to any individual policy of accident and sickness insurance, as defined in K.S.A. 40-2201, and amendments thereto.

(5) A provision as follows: "*Insurance with other insurers*: If there be other valid coverage, not with this insurer, providing benefits for the same loss on other than an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability for such benefits under this policy shall be for such proportion of the indemnities otherwise provided hereunder for such loss as the like indemnities of which the insurer had notice (including the indemnities under this policy) bear to the total amount of all like indemnities for such loss, and the return of such portion of the premium paid as shall exceed the pro rata portion for the indemnities thus determined." If the foregoing policy provision is included in a policy which also contains the next preceding policy provision there shall be added to the caption of the foregoing provision the phrase "\_\_\_\_\_ other benefits." The insurer, at its option, may include in this provision a definition of "other valid coverage," approved as to form by the commissioner of insurance, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and to any other coverage the inclusion of which may be approved by the commissioner of insurance. In the absence of such definition such term shall not include group insurance, or benefits provided by union welfare plans or by employer or employee benefit organizations. For the purpose of applying the foregoing policy provision with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workers compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice. In applying the foregoing policy provision no third-party liability coverage shall be included as "other valid coverage." The provisions of this paragraph shall not apply to any individual policy of accident and sickness insurance, as defined in K.S.A. 40-2201, and amendments thereto.

(6) A provision as follows: "*Relation of earnings to insurance*: If the total monthly amount of loss of time benefits promised for the same loss under all valid loss of time coverage upon the insured, whether payable on a weekly or monthly basis, shall exceed the monthly earnings of the insured at the time disability commenced or the average monthly earnings for the period of two years immediately preceding a disability for which claim is made, whichever is the greater, the insurer will be liable only for such proportionate amount of such benefits under this policy as the amount of such monthly earnings or such average monthly earnings of the insured bears to the total amount of

monthly benefits for the same loss under all such coverage upon the insured at the time such disability commences and for the return of such part of the premiums paid during such two years as shall exceed the pro rata amount of the premiums for the benefits actually paid hereunder; but this shall not operate to reduce the total monthly amount of benefits payable under all such coverage upon the insured below the sum of \$200 or the sum of the monthly benefits specified in such coverages, whichever is the lesser, nor shall it operate to reduce benefits other than those payable for loss of time." The foregoing policy provision may be inserted only in a policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age 50, or (2) in the case of a policy issued after age 44, for at least five years from its date of issue. The insurer, at its option, may include in this provision a definition of "valid loss of time coverage," approved as to form by the commissioner of insurance, which definition shall be limited in subject matter to coverage provided by governmental agencies or by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, or to any other coverage the inclusion of which may be approved by the commissioner of insurance or any combination of such coverages. In the absence of such definition such term shall not include any coverage provided for such insured pursuant to any compulsory benefit statute (including any workers compensation or employer's liability statute), or benefits provided by union welfare plans or by employer or employee benefit organizations.

(7) A provision as follows: "*Unpaid premium*: Upon the payment of a claim under this policy, any premium then due and unpaid or covered by any note or written order may be deducted therefrom."

(8) A provision as follows: "*Cancellation*: The insurer may cancel this policy at any time by written notice delivered to the insured, or mailed to his last address as shown by the records of the insurer, stating when, not less than five days thereafter, such cancellation shall be effective; and after the policy has been continued beyond its original term the insured may cancel this policy at any time by written notice delivered or mailed to the insurer, effective upon receipt or on such later date as may be specified in such notice. In the event of cancellation, the insurer will return promptly the unearned portion of any premium paid. If the insured cancels, the earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued. If the insurer cancels, the earned premium shall be computed pro rata. Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation."

(9) A provision as follows: "*Conformity with state statutes*: Any provision of this policy which, on its effective date, is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes."

(10) A provision as follows: "*Illegal occupation*: The insurer shall not be liable for any loss to which a contributing cause was the insured's commission of or attempt to commit a felony or to which a contributing cause was the insured's being engaged in an illegal occupation."

(11) A provision as follows: "*Intoxicants and narcotics*: The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being



intoxicated or under the influence of any narcotic unless administered on the advice of a physician."

(C) *Inapplicable or inconsistent provisions:* If any provision of this section is in whole or in part inapplicable to or inconsistent with the coverage provided by a particular form of policy the insurer, with the approval of the commissioner of insurance, shall omit from such policy any inapplicable provision or part of a provision, and shall modify any inconsistent provision or part of the provision in such manner as to make the provision as contained in the policy consistent with the coverage provided by the policy.

(D) *Order of certain policy provisions:* The provisions which are the subject of subsection (A) and (B) of this section, or any corresponding provisions which are used in lieu thereof in accordance with such subsections, shall be printed in the consecutive order of the provisions in such subsections or, at the option of the insurer, any such provision may appear as a unit in any part of the policy, with other provisions to which it may be logically related, provided the resulting policy, shall not be in whole or in part unintelligible, uncertain, ambiguous, abstruse, or likely to mislead a person to whom the policy is offered, delivered or issued.

(E) *Third-party ownership:* The word "insured," as used in this act, shall not be construed as preventing a person other than the insured with a proper insurable interest from making application for and owning a policy covering the insured or from being entitled under such a policy to any indemnities, benefits and rights provided therein.

(F) *Requirements of other jurisdictions:* (1) Any policy of a foreign or alien insurer, when delivered or issued for delivery to any person in this state, may contain any provision which is not less favorable to the insured or the beneficiary than the provisions of this act and which is prescribed or required by the law of the state under which the insurer is organized.

(2) Any policy of a domestic insurer, when issued for delivery in any other state or country, may contain any provision permitted or required by the laws of such other state or country.

(G) *Filing procedure:* The commissioner of insurance may make such reasonable rules and regulations concerning the procedure for the filing or submission of policies subject to this act as are necessary, proper or advisable to the administration of this act. This provision shall not abridge any other authority granted the commissioner of insurance by law.

(H) (1) No policy issued by an insurer to which this section applies shall contain a provision which excludes, limits or otherwise restricts coverage because medicaid benefits as permitted by title XIX of the social security act of 1965 are or may be available for the same accident or illness.

(2) Violation of this subsection shall be subject to the penalties prescribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

Sec. 7. K.S.A. 2014 Supp. 40-3401 is hereby amended to read as follows: 40-3401. As used in this act the following terms shall have the meanings respectively ascribed to them herein.

(a) "Applicant" means any health care provider.

(b) "Basic coverage" means a policy of professional liability insurance required to be maintained by each health care provider pursuant to the provisions of ~~subsection (a) or (b)~~ of K.S.A. 40-3402(a) or (b), and amendments thereto.

(c) "Commissioner" means the commissioner of insurance.

(d) "Fiscal year" means the year commencing on the effective date of this act and each year, commencing on the first day of July thereafter.

(e) "Fund" means the health care stabilization fund established pursuant to ~~subsection (a)~~ of K.S.A. 40-3403(a), and amendments thereto.

(f) "Health care provider" means a person licensed to practice any branch of the healing arts by the state board of healing arts, a person who holds a temporary permit to practice any branch of the healing arts issued by the state board of healing arts, a person engaged in a postgraduate training program approved by the state board of healing arts, a medical care facility licensed by the state of Kansas, a podiatrist licensed by the state board of healing arts, a health maintenance organization issued a certificate of authority by the commissioner of insurance, an optometrist licensed by the board of examiners in optometry, a pharmacist licensed by the state board of pharmacy, a licensed professional nurse who is authorized to practice as a registered nurse anesthetist, a licensed professional nurse who has been granted a temporary authorization to practice nurse anesthesia under K.S.A. 65-1153, and amendments thereto, a professional corporation organized pursuant to the professional corporation law of Kansas by persons who are authorized by such law to form such a corporation and who are health care providers as defined by this subsection, a Kansas limited liability company organized for the purpose of rendering professional services by its members who are health care providers as defined by this subsection and who are legally authorized to render the professional services for which the limited liability company is organized, a partnership of persons who are health care providers under this subsection, a Kansas not-for-profit corporation organized for the purpose of rendering professional services by persons who are health care providers as defined by this subsection, a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine, a dentist certified by the state board of healing arts to administer anesthetics under K.S.A. 65-2899, and amendments thereto, a psychiatric hospital licensed prior to January 1, 1988, and continuously thereafter under K.S.A. 75-3307b, and amendments thereto, or a mental health center or mental health clinic licensed by the state of Kansas. On and after January 1, 2015, "health care provider" also means a physician assistant licensed by the state board of healing arts, a licensed advanced practice registered nurse who is authorized by the state board of nursing to practice as an advanced practice registered nurse in the classification of a nurse-midwife, a licensed advanced practice registered nurse who has been granted a temporary authorization by the state board of nursing to practice as an advanced practice registered nurse in the classification of a nurse-midwife, a nursing facility licensed by the state of Kansas, an assisted living facility licensed by the state of Kansas or a residential health care facility licensed by the state of Kansas. "Health care provider" does not include: (1) Any state institution for people with intellectual disability; (2) any state psychiatric hospital; (3) any person holding an exempt license issued by the state board of healing arts or the state board of nursing; (4) any person holding a visiting clinical professor license from the state board of healing arts; (5) any person holding an inactive license issued by the state board of healing arts; (6) any person holding a federally active license issued by the state board of healing arts; (7) an advanced practice registered nurse who is authorized by the state board of nursing to practice as an advanced practice registered nurse in the classification of

nurse-midwife or nurse anesthetist and who practices solely in the course of employment or active duty in the United States government or any of its departments, bureaus or agencies or who, ~~in addition to such employment or assignment,~~ provides professional services as a charitable health care provider as defined under K.S.A. 75-6102, and amendments thereto; or (8) a physician assistant licensed by the state board of healing arts who practices solely in the course of employment or active duty in the United States government or any of its departments, bureaus or agencies or who, ~~in addition to such employment or assignment,~~ provides professional services as a charitable health care provider as defined under K.S.A. 75-6102, and amendments thereto.

(g) "Inactive health care provider" means a person or other entity who purchased basic coverage or qualified as a self-insurer on or subsequent to the effective date of this act but who, at the time a claim is made for personal injury or death arising out of the rendering of or the failure to render professional services by such health care provider, does not have basic coverage or self-insurance in effect solely because such person is no longer engaged in rendering professional service as a health care provider.

(h) "Insurer" means any corporation, association, reciprocal exchange, inter-insurer and any other legal entity authorized to write bodily injury or property damage liability insurance in this state, including workers compensation and automobile liability insurance, pursuant to the provisions of the acts contained in article 9, 11, 12 or 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

(i) "Plan" means the operating and administrative rules and procedures developed by insurers and rating organizations or the commissioner to make professional liability insurance available to health care providers.

(j) "Professional liability insurance" means insurance providing coverage for legal liability arising out of the performance of professional services rendered or which should have been rendered by a health care provider.

(k) "Rating organization" means a corporation, an unincorporated association, a partnership or an individual licensed pursuant to K.S.A. 40-956, and amendments thereto, to make rates for professional liability insurance.

(l) "Self-insurer" means a health care provider who qualifies as a self-insurer pursuant to K.S.A. 40-3414, and amendments thereto.

(m) "Medical care facility" means the same when used in the health care provider insurance availability act as the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto, except that as used in the health care provider insurance availability act such term, as it relates to insurance coverage under the health care provider insurance availability act, also includes any director, trustee, officer or administrator of a medical care facility.

(n) "Mental health center" means a mental health center licensed by the state of Kansas under K.S.A. 75-3307b, and amendments thereto, except that as used in the health care provider insurance availability act such term, as it relates to insurance coverage under the health care provider insurance availability act, also includes any director, trustee, officer or administrator of a mental health center.

(o) "Mental health clinic" means a mental health clinic licensed by the state of Kansas under K.S.A. 75-3307b, and amendments thereto, except that as used in the health care provider insurance availability act such term, as it relates to insurance coverage under the health care provider insurance availability act, also includes any

director, trustee, officer or administrator of a mental health clinic.

(p) "State institution for people with intellectual disability" means Winfield state hospital and training center, Parsons state hospital and training center and the Kansas neurological institute.

(q) "State psychiatric hospital" means Larned state hospital, Osawatomic state hospital and Rainbow mental health facility.

(r) "Person engaged in residency training" means:

(1) A person engaged in a postgraduate training program approved by the state board of healing arts who is employed by and is studying at the university of Kansas medical center only when such person is engaged in medical activities which do not include extracurricular, extra-institutional medical service for which such person receives extra compensation and which have not been approved by the dean of the school of medicine and the executive vice-chancellor of the university of Kansas medical center. Persons engaged in residency training shall be considered resident health care providers for purposes of K.S.A. 40-3401 et seq., and amendments thereto; and

(2) a person engaged in a postgraduate training program approved by the state board of healing arts who is employed by a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine or who is employed by an affiliate of the university of Kansas school of medicine as defined in K.S.A. 76-367, and amendments thereto, only when such person is engaged in medical activities which do not include extracurricular, extra-institutional medical service for which such person receives extra compensation and which have not been approved by the chief operating officer of the nonprofit corporation or the chief operating officer of the affiliate and the executive vice-chancellor of the university of Kansas medical center.

(s) "Full-time physician faculty employed by the university of Kansas medical center" means a person licensed to practice medicine and surgery who holds a full-time appointment at the university of Kansas medical center when such person is providing health care.

(t) "Sexual act" or "sexual activity" means that sexual conduct which constitutes a criminal or tortious act under the laws of the state of Kansas.

(u) "Board" means the board of governors created by K.S.A. 40-3403, and amendments thereto.

(v) "Board of directors" means the governing board created by K.S.A. 40-3413, and amendments thereto.

(w) "Locum tenens contract" means a temporary agreement not exceeding 182 days per calendar year that employs a health care provider to actively render professional services in this state.

(x) "Professional services" means patient care or other services authorized under the act governing licensure of a health care provider.

(y) "Health care facility" means a nursing facility, an assisted living facility or a residential health care facility as all such terms are defined in K.S.A. 39-923, and amendments thereto.

Sec. 8. K.S.A. 2014 Supp. 40-3414 is hereby amended to read as follows: 40-3414.

(a) Any health care provider; or any health care system organized and existing under the

laws of this state which owns and operates ~~two or more~~ than one medical care facilities facility or more than one health care facility, as defined in K.S.A. 40-3401, and amendments thereto, licensed by the state of Kansas, whose aggregate annual insurance premium is or would be \$100,000 or more for basic coverage calculated in accordance with rating procedures approved by the commissioner pursuant to K.S.A. 40-3413, and amendments thereto, may qualify as a self-insurer by obtaining a certificate of self-insurance from the board of governors. Upon application of any such health care provider or health care system, on a form prescribed by the board of governors, the board of governors may issue a certificate of self-insurance if the board of governors is satisfied that the applicant is possessed and will continue to be possessed of ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a health care provider obtained against such applicant arising from the applicant's rendering of professional services as a health care provider. In making such determination the board of governors shall consider: (1) The financial condition of the applicant; (2) the procedures adopted and followed by the applicant to process and handle claims and potential claims; (3) the amount and liquidity of assets reserved for the settlement of claims or potential claims; and (4) any other relevant factors. The certificate of self-insurance may contain reasonable conditions prescribed by the board of governors. Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel a certificate of self-insurance upon reasonable grounds therefor. Failure to pay any judgment for which the self-insurer is liable arising from the self-insurer's rendering of professional services as a health care provider, the failure to comply with any provision of this act or the failure to comply with any conditions contained in the certificate of self-insurance shall be reasonable grounds for the cancellation of such certificate of self-insurance. The provisions of this subsection shall not apply to the Kansas soldiers' home, the Kansas veterans' home or to any person who is a self-insurer pursuant to subsection (d) or (e).

(b) Any such health care provider or health care system that holds a certificate of self-insurance shall pay the applicable surcharge set forth in ~~subsection (e) of~~ K.S.A. 40-3402(c), and amendments thereto.

(c) The Kansas soldiers' home and the Kansas veterans' home shall be self-insurers and shall pay the applicable surcharge set forth in ~~subsection (e) of~~ K.S.A. 40-3402(c), and amendments thereto.

(d) Persons engaged in residency training as provided in ~~subsections (r)(1) and (2) of~~ K.S.A. 40-3401(r)(1) and (2), and amendments thereto, shall be self-insured by the state of Kansas for occurrences arising during such training, and such person shall be deemed a self-insurer for the purposes of the health care provider insurance availability act. Such self-insurance shall be applicable to a person engaged in residency training only when such person is engaged in medical activities which do not include extracurricular, extra-institutional medical service for which such person receives extra compensation and which have not been approved as provided in ~~subsections (r)(1) and (2) of~~ K.S.A. 40-3401(r)(1) and (2), and amendments thereto.

(e) (1) A person engaged in a postgraduate training program approved by the state board of healing arts at a medical care facility or mental health center in this state may be self-insured by such medical care facility or mental health center in accordance with this subsection (e) and in accordance with such terms and conditions of eligibility therefor as may be specified by the medical care facility or mental health center and

approved by the board of governors. A person self-insured under this subsection (e) by a medical care facility or mental health center shall be deemed a self-insurer for purposes of the health care provider insurance availability act. Upon application by a medical care facility or mental health center, on a form prescribed by the board of governors, the board of governors may authorize such medical care facility or mental health center to self-insure persons engaged in postgraduate training programs approved by the state board of healing arts at such medical care facility or mental health center if the board of governors is satisfied that the medical care facility or mental health center is possessed and will continue to be possessed of ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a health care provider obtained against a person engaged in such a postgraduate training program and arising from such person's rendering of or failure to render professional services as a health care provider.

(2) In making such determination the board of governors shall consider: (A) The financial condition of the medical care facility or mental health center; (B) the procedures adopted by the medical care facility or mental health center to process and handle claims and potential claims; (C) the amount and liquidity of assets reserved for the settlement of claims or potential claims by the medical care facility or mental health center; and (D) any other factors the board of governors deems relevant. The board of governors may specify such conditions for the approval of an application as the board of governors deems necessary. Upon approval of an application, the board of governors shall issue a certificate of self-insurance to each person engaged in such postgraduate training program at the medical care facility or mental health center who is self-insured by such medical care facility or mental health center.

(3) Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel, upon reasonable grounds therefor, a certificate of self-insurance issued pursuant to this subsection (e) or the authority of a medical care facility or mental health center to self-insure persons engaged in such postgraduate training programs at the medical care facility or mental health center. Failure of a person engaged in such postgraduate training program to comply with the terms and conditions of eligibility to be self-insured by the medical care facility or mental health center, the failure of a medical care facility or mental health center to pay any judgment for which such medical care facility or mental health center is liable as self-insurer of such person, the failure to comply with any provisions of the health care provider insurance availability act or the failure to comply with any conditions for approval of the application or any conditions contained in the certificate of self-insurance shall be reasonable grounds for cancellation of such certificate of self-insurance or the authority of a medical care facility or mental health center to self-insure such persons.

(4) A medical care facility or mental health center authorized to self-insure persons engaged in such postgraduate training programs shall pay the applicable surcharge set forth in ~~subsection (e) of~~ K.S.A. 40-3402(c), and amendments thereto, on behalf of such persons.

(5) As used in this subsection (e), "medical care facility" does not include the university of Kansas medical center or those community hospitals or medical care facilities described in ~~subsection (r)(2) of~~ K.S.A. 40-3401(r)(2), and amendments thereto.

(f) For the purposes of subsection (a), "health care provider" may include each

health care provider in any group of health care providers who practice as a group to provide physician services only for a health maintenance organization, any professional corporations, partnerships or not-for-profit corporations formed by such group and the health maintenance organization itself. The premiums for each such provider, health maintenance organization and group corporation or partnership may be aggregated for the purpose of being eligible for and subject to the statutory requirements for self-insurance as set forth in this section.

(g) The provisions of subsections (a) and (f), relating to health care systems, shall not affect the responsibility of individual health care providers as defined in ~~subsection (f) of~~ K.S.A. 40-3401(f), and amendments thereto, or organizations whose premiums are aggregated for purposes of being eligible for self-insurance from individually meeting the requirements imposed by K.S.A. 40-3402, and amendments thereto, with respect to the ability to respond to injury or damages to the extent specified therein and K.S.A. 40-3404, and amendments thereto, with respect to the payment of the health care stabilization fund surcharge.

(h) Each private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed a self-insurer for the purposes of the health care provider insurance availability act. The private practice corporation or foundation of which the full-time physician faculty is a member and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall pay the applicable surcharge set forth in ~~subsection (a) of~~ K.S.A. 40-3404(a), and amendments thereto, on behalf of the private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center or on behalf of a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine.

(i) (1) Subject to the provisions of paragraph (4), for the purposes of the health care provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a health care provider as defined in K.S.A. 40-3401, and amendments thereto, from and after July 1, 1997.

(2) Subject to the provisions of paragraph (4), for the purposes of the health care provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a self-insurer within the meaning of subsection (h) ~~of this section~~, and amendments thereto, from and after July 1, 1997.

(3) Subject to the provisions of paragraph (4), for the purposes of the health care provider insurance availability act, the election of fund coverage limits for each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been effective at the highest option, as

provided in ~~subsection (1)~~ of K.S.A. 40-3403(1), and amendments thereto, from and after July 1, 1997.

(4) No nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be required to pay to the fund any annual premium surcharge for any period prior to the effective date of this act. Any annual premium surcharge for the period commencing on the effective date of this act and ending on June 30, 2001, shall be prorated.";

Also on page 4, in line 4, after "40-19a11" by inserting ", 40-2203"; also in line 4, after "40-4201" by inserting "and K.S.A. 2014 Supp. 40-2,118, 40-22a13, 40-3401 and 40-3414";

And by renumbering sections accordingly;

On page 1, in the title, in lien 2, after "dental" by inserting "service"; in line 3, after the semicolon by inserting " required provisions; certain definitions; the health care provider insurance availability act; definitions; self insurance, health care systems;"; also in line 3, after "40-19a11" by inserting ", 40-2203"; also in line 3 after the last "and" by inserting "K.S.A. 2014 Supp. 40-2,118, 40-22a13, 40-3401 and 40-3414 and";

And your committee on conference recommends the adoption of this report.

JEFF LONGBINE  
ELAINE BOWERS  
TOM HAWK

*Conferees on part of Senate*

SCOTT SCHWAB  
ROB BRUCHMAN  
RODERICK HOUSTON

*Conferees on part of House*

On motion of Rep. Schwab, the conference committee report on **HB 2064** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.



Present but not voting: None.

Absent or not voting: Ballard, Kelley, Lusker, Moxley, Sloan, Whitmer.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2225** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2225, as follows:

On page 17, in line 2, by striking all after "medicine"; by striking all in line 3; in line 4, by striking "medicine";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK

MICHAEL O'DONNELL II

MARCI FRANCISCO

*Conferees on part of Senate*

DANIEL R. HAWKINS

SUSAN CONCANNON

JIM WARD

*Conferees on part of House*

On motion of Rep. Hawkins, the conference committee report on **S Sub for HB 2225** was adopted.

On roll call, the vote was: Yeas 116; Nays 3; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Edmonds, D. Jones, Rubin.

Present but not voting: None.

Absent or not voting: Ballard, Kelley, Lusker, Moxley, Sloan, Whitmer.

**COMMITTEE ASSIGNMENT CHANGE**

Speaker pro tem Mast announced the appointment of Rep. Sawyer to replace Rep. Ballard on Committee on Appropriations on April 29 and 30 only.

**REPORT ON ENROLLED BILLS**

**HB 2006, HB 2009, HB 2103, HB 2126, HB 2192, HB 2193, HB 2246, HB 2254, HB 2275, HB 2336** reported correctly enrolled, properly signed and presented to the Governor on April 3, 2015.

Also, **S Sub for HB 2101, HB 2216, S Sub for HB 2258, HB 2259** reported correctly enrolled, properly signed and presented to the Governor on April 10, 2015.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6022, HR 6023** reported correctly enrolled and properly signed on April 10, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, April 30, 2015.

# Journal of the House

## FIFTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, April 30, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Reps. Ballard, Moxley and Whitmer were excused on excused absence by the Speaker.

Prayer by guest chaplain, Doug Songer, Worship Minister, Tyro Christian Church, and guest of Rep. Peck:

God, we are grateful for this day you have blessed us with and for the fact that you care about each person in this room. Thank you for the opportunity we have to seek your guidance, your help, and your wisdom in every area of our lives. Lord, I believe that you have blessed this state with leaders who sincerely care about the people they are representing and they do not take their leadership or responsibility lightly. For each of them, I ask that your hand of blessing would be on them. Help them to make wise decisions. Help them to look forward while not losing sight of the past or the present. May they each be reminded that their leadership matters, that it is respected, and it is appreciated.

We ask all of this in your name, Amen.

The Pledge of Allegiance was led by Rep. Peck.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Barton are spread upon the Journal:

I am honored this morning to have with me the Leavenworth Pioneers girls' varsity basketball team who has won back to back 5A State Championships.

It is difficult in any sport to win one time, but to repeat is extraordinary and I am proud to be able to honor them this morning. This team was ranked in the top 25 on ESPN.

I ask you to join with me in congratulating these young ladies, the Leavenworth Pioneers, in their extraordinary achievement.

Rep. Barton presented a framed House certificate to the Pioneers' coach.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Rhoades are spread upon the Journal:

On behalf of Rep. Whitmer, it is my pleasure to welcome the Campus High School girls' bowling team. The team was undefeated (12-0) this year and the 6A Girls' State Champions. This is the first girls team state championship in the history of the school district.

Joining me today are team members: Madison Taylor, Alyssa Magee, Cami Mills, Brittani Magee, Kalina Feast and Jordyn Wattman. Also with us are Kenny Fulkerson, Head Coach; Brett Marrs, Assistant Coach; John Burke, Superintendent and Susan Walston, School Board President.

Please join me in extending our very best wishes on this memorable season and hope for continued success!

Rep. Rhoades presented framed House certificates to Coach Fulkerson and Superintendent Walston.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2013** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 5 through 36;

By striking all on page 2;

On page 3, by striking all in line 1; also on page 3, following line 1, by inserting:

"New Section 1. There is hereby created in the state treasury the commercial driver's license drive test fee fund. All moneys credited to the commercial driver's license drive test fee fund shall be used by the department of revenue only for the purposes of funding the administration and operation of the commercial driver's license drive test, including software maintenance and enhancement, equipment maintenance and purchase, acquisition and maintenance of one or more test tracks or courses for conducting a driving test, training and marketing associated with the operations for the division of vehicles regarding the issuance of commercial driver's licenses. All expenditures from the commercial driver's license drive test fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

New Sec. 2. The division of vehicles shall remit the commercial driver's license drive test fees received by the division under K.S.A. 8-240(a)(1), and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such fees to the commercial driver's license drive test fee fund. Moneys credited to the commercial driver's license

drive test fee fund as provided herein shall be used to supplement existing appropriations and shall not be used to supplant general fund or other special revenue fund appropriations to the Kansas department of revenue.

Sec. 3. K.S.A. 2014 Supp. 8-142 is hereby amended to read as follows: 8-142. It shall be unlawful for any person to commit any of the following acts and except as otherwise provided, violation is subject to penalties provided in K.S.A. 8-149, and amendments thereto:

*First:* To operate, or for the owner thereof knowingly to permit the operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and amendments thereto, which is not registered, or for which a certificate of title has not been issued or which does not have attached thereto and displayed thereon the license plate or plates assigned thereto by the division for the current registration year, including any registration decal required to be affixed to any such license plate pursuant to K.S.A. 8-134, and amendments thereto, subject to the exemptions allowed in K.S.A. 8-135, 8-198 and 8-1751a, and amendments thereto. A violation of this ~~First subsection~~ by a person unlawfully claiming that a motor vehicle is exempt from registration as a self-propelled crane under ~~subsection (b)~~ of K.S.A. 8-128~~(b)~~, and amendments thereto, shall constitute an unclassified misdemeanor punishable by a fine of not less than \$500. A person shall not be charged with a violation of this subsection for failing to display a registration decal on any vehicle except those included under K.S.A. 8-1,101 and K.S.A. 2014 Supp. 8-143m and 8-1,152, and amendments thereto, up to and including the 10<sup>th</sup> day following the expiration of the registration if the person is able to produce a printed payment receipt or electronic payment receipt from an online electronic payment processing system for the current 12-month registration period. Any charge for failing to display a registration decal up to and including the 10<sup>th</sup> day following the expiration of the registration shall be dismissed if the person produces in court a registration receipt for the current 12-month registration period which was valid at the time of arrest.

*Second:* To display or cause or permit to be displayed, or to have in possession, any registration receipt, certificate of title, registration license plate, registration decal, accessible parking placard or accessible parking identification card knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this ~~part Second subsection~~ shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100 and forfeiture of the item. A mandatory court appearance shall be required of any person violating this ~~part Second subsection~~. This ~~part Second subsection~~ shall not apply to the possession of: (a) Model year license plates displayed on antique vehicles as allowed under K.S.A. 8-172, and amendments thereto; or (b) distinctive license plates allowed under K.S.A. 8-1,147, and amendments thereto.

*Third:* To lend to or knowingly permit the use by one not entitled thereto any registration receipt, certificate of title, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

*Fourth:* To fail or refuse to surrender to the division, upon demand, any registration receipt, certificate of title, registration license plate or registration decal which has been suspended, canceled or revoked.

*Fifth:* To use a false or fictitious name or address in any application for a certificate of title, the registration of any vehicle or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or

otherwise commit a fraud in any such application.

*Sixth:* For the owner of a motor vehicle to file application for the registration thereof, in any county other than the county in which the owner of the vehicle resides or has a bona fide place of business, which place is not an office or facility established or maintained solely for the purpose of obtaining registration.

*Seventh:* To operate on the highways of this state a vehicle or combination of vehicles whose weight with cargo is in excess of the gross weight for which the truck or truck tractor propelling the same is registered, except as provided by K.S.A. 8-143, and amendments thereto, and ~~subsections (a) to (f), inclusive, of K.S.A. 8-1911(a) through (f), and amendments thereto.~~ Such gross weight shall not be required to be in excess of the limitations described by K.S.A. 8-1908 and 8-1909, and amendments thereto, for such vehicle or combination of vehicles of which it is a part. Any person or owner who operates a vehicle in this state with a registration in violation of ~~subsection (b) of~~ K.S.A. 8-143**(b)**, and amendments thereto, shall be required to pay the additional fee equal to the fee required by the applicable registration fee schedule, less the amount of the fee required for the gross weight for which the vehicle is registered to obtain the proper registration therewith. A fine of \$75 shall be assessed for all such gross weight registration violations.

*Eighth:* To operate a local truck or truck tractor which is registered for a gross weight of more than 12,000 pounds as a common carrier outside a radius of three miles beyond the corporate limits of the city in which such vehicle was based when registered and licensed or to operate any other local truck or truck tractor licensed for a gross weight of more than 12,000 pounds outside a radius of 25 miles beyond the corporate limits of the city in which such vehicle was based when registered and licensed, except as provided in ~~subsection (b) of~~ K.S.A. 8-143**(b)** or 8-143i, and amendments thereto.

*Ninth:* To operate on the highways of this state a farm truck or farm trailer other than to transport: (a) Agricultural products produced by such owner; (b) commodities purchased by the owner for use on the farm owned or rented by the owner of such vehicles; (c) commodities for religious or educational institutions being transported by the owner of such vehicles for charity and without compensation of any kind, except as provided in ~~subsection (e) of~~ K.S.A. 66-1,109**(c)**, and amendments thereto; or (d) sand, gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill material to a township road maintenance or construction site of the township in which the owner of such truck resides.

*Tenth:* To operate a farm truck or truck tractor used in combination with a trailer or semitrailer for a gross weight which does not include the empty weight of the truck or truck tractor or of the combination of any truck or truck tractor and any type of trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same; and such farm truck or farm truck tractor used to transport a gross weight of more than 54,000 pounds shall have durably lettered on the side of the motor vehicle the words "farm vehicle—not for hire."

*Eleventh:* To operate on the highways of this state any truck or truck tractor without the current quarter of license fees being paid thereon.

*Twelfth:* To operate on the highways of this state a truck or truck tractor without carrying in the cab a copy of the registration receipt for such vehicle or without having painted or otherwise durably marked on ~~said~~ the vehicle on both sides thereof, the gross weight for which ~~said~~ the vehicle is licensed and the name and address of the owner

thereof, except as provided in K.S.A. 8-143e, and amendments thereto.

*Thirteenth:* To operate on the highways of this state a farm trailer carrying more than 6,000 pounds without being registered and the registration fees paid thereon.

*Fourteenth:* To operate more than 6,000 miles in any calendar year any truck or truck tractor which has been registered and licensed to operate not more than 6,000 miles in such calendar year, as provided in ~~subsection (b) of~~ K.S.A. 8-143(b), and amendments thereto, unless the additional fee required by such subsection (b) has been paid.

*Fifteenth:* For any owner who has registered a truck or truck tractor on the basis of operating not more than 6,000 miles to fail to keep the records required by the director of vehicles, or to fail to comply with rules and regulations of the secretary of revenue relating to such registration.

*Sixteenth:* To operate a vehicle or combination of vehicles on the national system of interstate and defense highways with a gross weight greater than permitted by the laws of the United States congress.

Sec. 4. K.S.A. 8-143e is hereby amended to read as follows: 8-143e. The county treasurer shall issue to the owner a registration receipt on each application for a truck or truck tractor license. The registration application and receipt shall be in such number and contain such information as the division shall determine. Except as provided by K.S.A. 8-142 First, and amendments thereto, a copy of the registration receipt shall be carried in the cab of such truck or truck tractor during all the time the same is operated on the highways of this state. Any truck or truck tractor for which the owner has declared the maximum gross weight to be more than ~~twelve thousand (12,000)~~ 12,000 pounds shall have painted or otherwise durably marked on ~~said the~~ vehicle on both sides thereof, in plain letters not less than two ~~(2)~~ inches in height and with not less than ~~one-fourth (1/4)~~ 1/4 inch stroke, the gross weight for which ~~said the~~ vehicle is licensed, and the name and address of the owner or lessee thereof. ~~Provided, That,~~ If the division ~~shall find~~ finds that any insignia or trademark painted or otherwise durably marked on any such vehicle is sufficient to properly show the gross weight for which ~~said the~~ vehicle is licensed and to identify the owner and show the address of the owner thereof, the division may issue a permit authorizing the use of such insignia or trademark. ~~Provided further, That,~~ A vehicle registered as a farm truck or truck tractor shall not be required to be so painted or marked. When such painting or marking shall become illegible, the same shall be repainted or remarked, as herein required.

Sec. 5. K.S.A. 2014 Supp. 8-240 is hereby amended to read as follows: 8-240. (a) (1) Every application for an instruction permit shall be made upon a form furnished by the division of vehicles and accompanied by a fee of \$2 for class A, B, C or M and \$5 for all commercial classes. Every other application shall be made upon a form furnished by the division and accompanied by an examination fee of \$3, unless a different fee is required by K.S.A. 8-241, and amendments thereto, and by the proper fee for the license for which the application is made. All commercial class applicants shall be charged a \$15 driving test fee for the drive test portion of the commercial driver's license application. If the applicant is not required to take an examination or the commercial license drive test, the examination or commercial drive test fee shall not be required. The examination shall consist of three tests, as follows: (A) Vision; (B) written; and (C) driving. For a commercial driver's license, the drive test shall consist of three components, as follows: (A) Pre-trip; (B) skills test; and (C) road test. If the applicant fails the vision test, the applicant may have correction of vision made and take the

vision test again without any additional fee. If an applicant fails the written test, the applicant may take such test again upon the payment of an additional examination fee of \$1.50. If an applicant fails the driving test, the applicant may take such test again upon the payment of an additional examination fee of \$1.50. If an applicant for a commercial driver's license fails any portion of the commercial drive test, the applicant may take such test again upon the payment of an additional drive test fee of \$10. If an applicant fails to pass all three of the tests within a period of six months from the date of original application and desires to take additional tests, the applicant shall file an application for reexamination upon a form furnished by the division, which shall be accompanied by a reexamination fee of \$3, except that any applicant who fails to pass the written or driving portion of an examination four times within a six-month period, shall be required to wait a period of six months from the date of the last failed examination before additional examinations may be given. Upon the filing of such application and the payment of such reexamination fee, the applicant shall be entitled to reexamination in like manner and subject to the additional fees and time limitation as provided for examination on an original application. If the applicant passes the reexamination, the applicant shall be issued the classified driver's license for which the applicant originally applied, which license shall be issued to expire as if the applicant had passed the original examination.

(2) Applicants for class M licenses who have completed prior motorcycle safety training in accordance with department of defense instruction 6055.04 (DoDI 6055.04) are not required to complete further written and driving testing pursuant to paragraph (1) of this subsection.

(b) (1) For the purposes of obtaining any driver's license or instruction permit, an applicant shall submit, with the application, proof of age and proof of identity as the division may require. The applicant also shall provide a photo identity document, except that a non-photo identity document is acceptable if it includes both the applicant's full legal name and date of birth, and documentation showing the applicant's name, the applicant's address of principal residence and the applicant's social security number. The applicant's social security number shall remain confidential and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012, and amendments thereto. If the applicant does not have a social security number the applicant shall provide proof of lawful presence and Kansas residency. The division shall assign a distinguishing number to the license or permit.

(2) The division shall not issue any driver's license or instruction permit to any person who fails to provide proof that the person is lawfully present in the United States. Before issuing a driver's license or instruction permit to a person, the division shall require valid documentary evidence that the applicant: (A) Is a citizen or national of the United States; (B) is an alien lawfully admitted for permanent or temporary residence in the United States; (C) has conditional permanent resident status in the United States; (D) has an approved application for asylum in the United States or has entered into the United States in refugee status; (E) has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States; (F) has a pending application for asylum in the United States; (G) has a pending or approved application for temporary protected status in the United States; (H) has approved deferred action status; or (I) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional



permanent resident status in the United States.

(3) If an applicant provides evidence of lawful presence set out in subsections (b)(2)(E) through (2)(I), or is an alien lawfully admitted for temporary residence under subsection (b)(2)(B), the division may only issue a driver's license to the person under the following conditions: (A) A driver's license issued pursuant to this subparagraph shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year; (B) a driver's license issued pursuant to this subparagraph shall clearly indicate that it is temporary and shall state the date on which it expires; (C) no driver's license issued pursuant to this subparagraph shall be for a longer period of time than the time period permitted by ~~subsection (a)~~ of K.S.A. 8-247(a), and amendments thereto; and (D) a driver's license issued pursuant to this subparagraph may be renewed, subject at the time of renewal, to the same requirements and conditions as set out in this subsection (b) for the issuance of the original driver's license.

(4) The division shall not issue any driver's license or instruction permit to any person who is not a resident of the state of Kansas, except as provided in K.S.A. 8-2,148, and amendments thereto.

(5) The division shall not issue a driver's license to a person holding a driver's license issued by another state without making reasonable efforts to confirm that the person is terminating or has terminated the driver's license in the other state.

(6) The parent or guardian of an applicant under 16 years of age shall sign the application for any driver's license submitted by such applicant.

(c) Every application shall state the full legal name, date of birth, gender and address of principal residence of the applicant, and briefly describe the applicant, and shall state whether the applicant has been licensed as a driver prior to such application, and, if so, when and by what state or country. Such application shall state whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal. In addition, applications for commercial drivers' licenses and instruction permits for commercial licenses must include the following: The applicant's social security number; the person's signature; the person's colored digital photograph; certifications, including those required by 49 C.F.R. § 383.71(a), effective January 1, 1991; a consent to release driving record information; and, any other information required by the division.

(d) When an application is received from a person previously licensed in another jurisdiction, the division shall request a copy of the driver's record from the other jurisdiction. When received, the driver's record shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(e) When the division receives a request for a driver's record from another licensing jurisdiction the record shall be forwarded without charge.

(f) A fee shall be charged as follows:

(1) For a class C driver's license issued to a person at least 21 years of age, but less than 65 years of age, \$18;

(2) for a class C driver's license issued to a person 65 years of age or older, \$12;

(3) for a class M driver's license issued to a person at least 21 years of age, but less than 65 years of age, \$12.50;

- (4) for a class M driver's license issued to a person 65 years of age or older, \$9;
- (5) for a class A or B driver's license issued to a person who is at least 21 years of age, but less than 65 years of age, \$24;
- (6) for a class A or B driver's license issued to a person 65 years of age or older, \$16;
- (7) for any class of commercial driver's license issued to a person 21 years of age or older, \$18; or
- (8) for class A, B, C or M, or a farm permit, or any commercial driver's license issued to a person less than 21 years of age, \$20.

A fee of \$10 shall be charged for each commercial driver's license endorsement, except air brake endorsements which shall have no charge.

A fee of \$3 per year shall be charged for any renewal of a license issued prior to the effective date of this act to a person less than 21 years of age.

If one fails to make an original application or renewal application for a driver's license within the time required by law, or fails to make application within 60 days after becoming a resident of Kansas, a penalty of \$1 shall be added to the fee charged for the driver's license.

(g) Any person who possesses an identification card as provided in K.S.A. 8-1324, and amendments thereto, shall surrender such identification card to the division upon being issued a valid Kansas driver's license or upon reinstatement and return of a valid Kansas driver's license.

(h) The division shall require that any person applying for a driver's license submit to a mandatory facial image capture.

(i) The director of vehicles may issue a temporary driver's license to an applicant who cannot provide valid documentary evidence as defined by subsection (b)(2), if the applicant provides compelling evidence proving current lawful presence. Any temporary license issued pursuant to this subsection shall be valid for one year.

Sec. 6. K.S.A. 8-143e and K.S.A. 2014 Supp. 8-142 and 8-240 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all following "to"; in line 2, by striking all before the period and inserting "registration of vehicles, penalties, evidence of renewal; commercial drivers' licenses, examination fees, commercial driver's license drive test fee fund; amending K.S.A. 8-143e and K.S.A. 2014 Supp. 8-142 and 8-240 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

MIKE PETERSON  
KAY WOLF  
PAT PETTEY

*Conferees on part of Senate*

RICHARD J. PROEHL  
RONALD RYCKMAN, SR.  
ADAM J. LUSKER, SR.

*Conferees on part of House*

On motion of Rep. Proehl, the conference committee report on **HB 2013** was

adopted.

On roll call, the vote was: Yeas 89; Nays 33; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bruchman, Brunk, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Finch, Finney, Francis, Gallagher, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusk, Lusker, Mason, Mast, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Schroeder, Schwartz, Sloan, Smith, Suellentrop, Swanson, Thompson, Tietze, Todd, Vickrey, Waymaster, Williams, Wilson, Winn, Wolfe Moore.

Nays: Boldra, Bridges, Burroughs, Couture-Lovelady, Campbell, Carlin, Corbet, Curtis, Esau, Ewy, Frownfelter, Garber, Grosserode, Hildabrand, Houser, Hutchins, K. Jones, Kelley, Kuether, Macheers, McPherson, Ousley, Rhoades, Sawyer, Scapa, Schwab, Seiwert, Sutton, Thimesch, Trimmer, Victors, Ward, Whipple.

Present but not voting: None.

Absent or not voting: Ballard, Moxley, Whitmer.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2044** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows: on page 12, following line 3, by inserting:

"New Sec. 11. (a) On and after January 1, 2016, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one omega psi phi license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by omega psi phi or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) Omega psi phi may authorize the use of its logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support omega psi phi. Any motor vehicle owner or lessee annually may apply to omega psi phi for the use of such logo. Upon annual application and payment to either: (1) Omega psi phi in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, omega psi phi shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of

registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by omega psi phi. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer the omega psi phi license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the logo use royalty payment as established by omega psi phi. If such logo use authorization statement is not presented at the time of registration or faxed by omega psi phi, or the annual logo use royalty payment is not made to the county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) Omega psi phi shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call omega psi phi for information concerning the application process or the status of their license plate application.

(h) Omega psi phi, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the omega psi phi license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to omega psi phi and the state treasurer.

(j) Annual logo use royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the omega psi phi royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the omega psi phi royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the omega psi phi royalty fund to the appropriate designee of omega psi phi shall be made on a monthly basis.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking the second semicolon and inserting a comma; also in line 1, by striking the last semicolon and inserting a comma; in line 2, by striking the first semicolon and inserting a comma; also in line 2, by striking the second semicolon and inserting a comma; also in line 2, after the last semicolon by inserting "distinctive license plates, providing for the omega psi phi license plate;"

And your committee on conference recommends the adoption of this report.

MIKE PETERSON

KAY WOLF

PAT PETTEY

*Conferees on part of Senate*

RICHARD J. PROEHL

RONALD RYCKMAN, SR.

ADAM J. LUSKER, SR.

*Conferees on part of House*

On motion of Rep. Proehl, the conference committee report on **HB 2044** was adopted.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Boldra, B. Carpenter, Kelley, Schroeder, Schwartz.

Present but not voting: None.

Absent or not voting: Ballard, Moxley, Whitmer.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2090** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2090, as follows:

On page 1, in line 8, before "K.S.A" by inserting "On and after July 1, 2015,";

On page 3, in line 20, before "K.S.A" by inserting "On and after July 1, 2015,";

On page 4, in line 9, before "K.S.A" by inserting "On and after July 1, 2015,";

following line 41, by inserting:

"Sec. 4. On and after July 1, 2015, K.S.A. 2014 Supp. 8-2,135 is hereby amended to read as follows: 8-2,135. (a) The commercial driver's license shall be marked "commercial driver's license" or "CDL," and must be, to the maximum extent practicable, tamper proof. It shall include, but not be limited to, the following information:

- (1) The requirements set out in K.S.A. 8-243, and amendments thereto;
- (2) a number or identifier deemed appropriate by the state licensing authority;
- (3) the class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restriction;
- (4) the name of this state; and
- (5) the dates between which the license is valid.

(b) Commercial drivers' licenses issued pursuant to K.S.A. 8-234b, and amendments thereto, may be issued with the following endorsements or restrictions; and the holder of a valid commercial driver's license may drive all vehicles in the class for which that license is issued, and all lesser classes of vehicles, except motorcycles and vehicles which require an endorsement, unless the proper endorsement appears on the license;

- (1) "H"—authorizes the driver to drive a vehicle transporting hazardous materials;
- (2) "L"—restricts the driver to vehicles not equipped with airbrakes;
- (3) "T"—authorizes driving double and triple trailers;
- (4) "P"—authorizes driving vehicles carrying passengers;
- (5) "N"—authorizes driving tank vehicles;
- (6) "X"—represents a combination of hazardous materials and tank vehicle endorsements;

(7) "S"—authorizes driving school buses;

(8) "E"—no manual transmission in CMV;

(9) "O"—no tractor-trailer;

(10) "M"—no class A passenger vehicle;

(11) "N"—no class A or B passenger vehicle;

(12) "Z"—no full air brake in CMV;

(13) "K"—for intrastate only;

(14) "V"—for medical variance.

(c) Before issuing a commercial driver's license, the division must obtain driving record information through the commercial driver license information system, the national driver register and from each state in which the person has been licensed.

(d) Within 10 days after issuing a commercial driver's license, the division shall notify the commercial driver license information system of that fact, providing all information required to ensure identification of the person.

(e) All original licenses issued after April 1, 1992, shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application. All renewals thereof shall expire on every fourth anniversary of the date of birth of the licensee. No driver's license shall expire in the same calendar year in which the original license or renewal license is issued, except that if the foregoing provisions of this section shall require the issuance of a renewal license or an original license for a period of less than six calendar months, the license issued to the applicant shall expire at midnight on every fourth anniversary of the date of birth of the applicant. At least 30

days prior to the expiration of a person's license, the division shall mail a notice of expiration or renewal application to such person at the address shown on the license.

(f) When applying for renewal of a commercial driver's license, the applicant must complete the test required in ~~subsection (e) of K.S.A. 8-247(e)~~, and amendments thereto, and the application form required by ~~subsection (b) of K.S.A. 8-2,134(b)~~, and amendments thereto, providing updated information and required certifications and if the applicant wishes to retain a hazardous materials endorsement, the applicant must take and pass the test for such endorsement.

Sec. 5. K.S.A. 2014 Supp. 8-1904 is hereby amended to read as follows: 8-1904. (a) No vehicle including any load thereon shall exceed a height of 14 feet, except that a vehicle transporting cylindrically shaped bales of hay as authorized by ~~subsection (e) of K.S.A. 8-1902(e)~~, and amendments thereto, may be loaded with such bales secured to a height not exceeding 14½ feet. Should a vehicle so loaded with bales strike any overpass or other obstacle, the operator of the vehicle shall be liable for all damages resulting therefrom. The secretary of transportation may adopt rules and regulations for the movement of such loads of cylindrically shaped bales of hay.

(b) No motor vehicle including the load thereon shall exceed a length of 45 feet extreme overall dimension, excluding the front and rear bumpers, except as provided in subsection (d).

(c) Except as otherwise provided in K.S.A. 8-1914 and 8-1915, and amendments thereto, and subsections (d), (e), (f), (g) and (h), no combination of vehicles coupled together shall exceed a total length of 65 feet.

(d) The length limitations in subsection (b) shall not apply to a truck tractor. No semitrailer which is being operated in combination with a truck tractor shall exceed 59½ feet in length. No semitrailer or trailer which is being operated in a combination consisting of a truck tractor, semitrailer and trailer shall exceed 28½ feet in length.

(e) The limitations in this section governing maximum length of a semitrailer or trailer shall not apply to vehicles operating in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, except that it shall be unlawful to operate any such vehicle or combination of vehicles which exceeds a total length of 85 feet unless a special permit for such operation has been issued by the secretary of transportation or by an agent or designee of the secretary pursuant to K.S.A. 8-1911, and amendments thereto. For the purpose of authorizing the issuance of such special permits at motor carrier inspection stations, the secretary of transportation may contract with the superintendent of the Kansas highway patrol for such purpose, and in such event, the superintendent or any designee of the superintendent may issue such special permit pursuant to the terms and conditions of the contract. The limitations in this section shall not apply to vehicles transporting such objects operated at nighttime by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in K.S.A. 8-1911, and amendments thereto, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

(f) The limitations of this section governing the maximum length of combinations of vehicles shall not apply to a combination of vehicles consisting of a truck tractor towing a house trailer, if such combination of vehicles does not exceed an overall length

of 97 feet.

(g) The length limitations of this section shall not apply to stinger-steered automobile or boat transporters or one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine, forage cutter or combine header to be engaged in farm custom harvesting operations, as defined in ~~subsection (d)~~ of K.S.A. 8-143j(d), and amendments thereto. A stinger-steered automobile or boat transporter or one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine, forage cutter or combine header to be engaged in farm custom harvesting operations, as defined in ~~subsection (d)~~ of K.S.A. 8-143j(d), and amendments thereto, shall not exceed an overall length limit of 75 feet, exclusive of front and rear overhang.

(h) The length limitations of this section shall not apply to drive-away saddlemount or drive-away saddlemount with fullmount vehicle transporter combination. A drive-away saddlemount or drive-away saddlemount with fullmount vehicle transporter combination shall not exceed an extreme overall dimension of 97 feet.

Sec. 6. K.S.A. 2014 Supp. 8-1904 is hereby repealed.";

Also on page 4, in line 42, before the first "K.S.A" by inserting "On and after July 1, 2015,"; also in line 42, by striking the second "and" and inserting a comma; also in line 42, after "8-1,134" by inserting "and 8-2,135";

On page 5, in line 2, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, before "amending" by inserting "commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters; in line 5, by striking the first "and" and inserting a comma; also in line 5, after "8-1,134" by inserting ", 8-2,135 and 8-1904";

And your committee on conference recommends the adoption of this report.

MIKE PETERSON

KAY WOLF

PAT PETTEY

*Conferees on part of Senate*

RICHARD J. PROEHL

RONALD RYCKMAN, SR.

ADAM J. LUSKER, SR.

*Conferees on part of House*

On motion of Rep. Proehl, the conference committee report on **S Sub for HB 2090** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn,



Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Moxley, Whitmer.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2111** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 5, by inserting:

"Section 1. K.S.A. 2014 Supp. 20-302b is hereby amended to read as follows: 20-302b. (a) Subject to assignment pursuant to K.S.A. 20-329, and amendments thereto, a district magistrate judge shall have the jurisdiction and power, in any case in which a violation of the laws of the state is charged, to conduct the trial of traffic infractions, violations of the wildlife, parks and tourism laws of this state or rules and regulations adopted thereunder, cigarette or tobacco infractions or misdemeanor charges, to conduct felony first appearance hearings and the preliminary examination of felony charges and to hear misdemeanor or felony arraignments. A district magistrate judge shall have jurisdiction over uncontested actions for divorce. Except as otherwise specifically provided in this section, in civil cases, a district magistrate judge shall have jurisdiction over actions filed under the code of civil procedure for limited actions, K.S.A. 61-2801 et seq., and amendments thereto, and all other civil cases, and shall have concurrent jurisdiction, powers and duties with a district judge. ~~Except as otherwise specifically provided in this subsection and subsection (b), in all other civil cases, a district magistrate judge shall have jurisdiction over any civil action not filed under the code of civil procedure for limited actions only with the consent of the parties. A district magistrate judge shall have jurisdiction over uncontested actions for divorce. Except with consent of the parties, or as otherwise specifically provided in this section, a district magistrate judge shall not have jurisdiction or cognizance over the following actions:~~

(1) Any action, other than an action seeking judgment for an unsecured debt not sounding in tort and arising out of a contract for the provision of goods, services or money, in which the amount in controversy, exclusive of interests and costs, exceeds \$10,000. The provisions of this subsection shall not apply to actions filed under the code of civil procedure for limited actions, K.S.A. 61-2801 et seq., and amendments thereto. In actions of replevin, the affidavit in replevin or the verified petition fixing the value of the property shall govern the jurisdiction. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to hear any action pursuant to the Kansas probate code or to issue support orders as provided by subsection (a)(6);

(2) actions against any officers of the state, or any subdivisions thereof, for misconduct in office;

(3) actions for specific performance of contracts for real estate;

(4) actions in which title to real estate is sought to be recovered or in which an interest in real estate, either legal or equitable, is sought to be established. Nothing in this paragraph shall be construed as limiting the right to bring an action for forcible detainer as provided in the acts contained in K.S.A. 61-3801 through 61-3808, and amendments thereto. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to hear any action pursuant to the Kansas probate code;

(5) actions to foreclose real estate mortgages or to establish and foreclose liens on real estate as provided in the acts contained in article 11 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto;

(6) contested actions for divorce, separate maintenance or custody of minor children. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to: (A) Except as provided in subsection (e), hear any action pursuant to the Kansas code for care of children or the revised Kansas juvenile justice code; (B) establish, modify or enforce orders of support, including, but not limited to, orders of support pursuant to the Kansas parentage act, K.S.A. 2014 Supp. 23-2201 et seq., and amendments thereto, the uniform interstate family support act, K.S.A. 2014 Supp. 23-36,101 et seq., and amendments thereto, articles 29 or 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 39-709, 39-718b or 39-755 or K.S.A. 2014 Supp. 23-3101 through 23-3113, 38-2348, 38-2349 or 38-2350, and amendments thereto; or (C) enforce orders granting visitation rights or parenting time;

(7) habeas corpus;

(8) receiverships;

(9) declaratory judgments;

(10) mandamus and quo warranto;

(11) injunctions;

(12) class actions; and

(13) actions pursuant to K.S.A. 59-29a01 et seq., and amendments thereto.

(b) Notwithstanding the provisions of subsection (a), in the absence, disability or disqualification of a district judge, a district magistrate judge may:

(1) Grant a restraining order, as provided in K.S.A. 60-902, and amendments thereto;

(2) appoint a receiver, as provided in K.S.A. 60-1301, and amendments thereto; and

(3) make any order authorized by K.S.A. 23-2707, and amendments thereto.

(c) ~~All actions or proceedings~~ Every action or proceeding before a district magistrate judge regularly admitted to practice law in Kansas shall be on the record if such ~~actions or proceedings~~ action or proceeding would be on the record before a district judge.

(2) In accordance with the limitations and procedures prescribed by law, and subject to any rules of the supreme court relating thereto, any appeal permitted to be taken from an order or final decision of a district magistrate judge: (A) who is not regularly admitted to practice law in Kansas shall be tried and determined de novo by a district judge, except that in civil cases where a record was made of the action or proceeding before the district magistrate judge, the appeal shall be tried and determined on the record by a district judge; and (B) who is regularly admitted to practice law in

Kansas shall be to the court of appeals.

(d) Except as provided in subsection (e), upon motion of a party, the chief judge may reassign an action from a district magistrate judge to a district judge.

(e) Upon motion of a party ~~for the chief judge shall reassign~~ a petition or motion ~~filed under the Kansas code for care of children~~ requesting termination of parental rights pursuant to K.S.A. 2014 Supp. ~~38-2361 through 38-2367~~ 38-2266 and 38-2267, and amendments thereto, ~~the chief judge shall reassign such action~~ from a district magistrate judge to a district judge.

(f) This section shall apply to every action or proceeding on or after July 1, 2014, regardless of the date such action or proceeding was filed or commenced.

Sec. 2. K.S.A. 20-3127 is hereby amended to read as follows: 20-3127. (a) Except as provided further, all fees collected pursuant to K.S.A. 20-3126, and amendments thereto, shall be used to establish and maintain the county law library. A board of trustees, appointed as provided in this section, shall have the management and control of such library and shall use the fees paid for registration, and all other sums, books, or library materials or equipment donated or provided by law, for the purpose of establishing and maintaining such library in the county courthouse or other suitable place to be provided and maintained by the county commissioners of such county, including acquiring and maintaining materials and technology that may, at the discretion of the board of trustees, be loaned to library users for use outside the premises of the library. The district judge or district judges of the district court, members of the bar who have registered and paid the fee provided for in K.S.A. 20-3126, and amendments thereto, judges of all other courts in the county and county officials shall have the right to use the library in accordance with the rules and regulations established by the board of trustees. The board of trustees shall develop guidelines to provide members of the public reasonable access to the law library.

(b) The board of trustees of any law library established or governed under this act, and amendments thereto, in Johnson and Sedgwick counties shall consist of five members, two of which shall be judges of the district court, appointed by a consensus of all judges of the district court in those counties, and three of which shall be members of the Johnson or Sedgwick county bar association, appointed by selection of the county bar association pursuant to the Johnson or Sedgwick county bar association's bylaws for two-year terms. The board of trustees of the law library in all other counties shall consist of the district judge or judges of the district court presiding in such county and not less than two attorneys who shall be elected for two-year terms by a majority of the attorneys residing in the county.

(c) The clerk of the district court of the county shall be treasurer of the library and shall safely keep the funds of such library and disburse them as the trustees shall direct. The clerk shall be liable on an official bond for any failure, refusal or neglect in performing such duties.

(d) The board of county commissioners of any county designated an urban area pursuant to K.S.A. 19-2654, and amendments thereto, wherein an election has been held to come under the provisions of this act is hereby authorized to appoint, by and with the advice and consent of the board of trustees of the law library of such county, a librarian, who shall act as custodian of the law library of such county and shall assist in the performance of the clerk's duties as treasurer thereof, and such assistants as are necessary to perform the duties of administering the law library. The librarian and any

assistants so appointed shall be employees of the county under the supervision of the board of county commissioners, or the board's designated official, with the advice and recommendations of the board of trustees of the law library, and shall be subject to the personnel policies and procedures established by the board of county commissioners for all employees of the county. The librarian and any assistants shall receive as compensation such salaries and benefits as established by the law library board of trustees, subject to the approval of the board of county commissioners, which shall be payable from the general fund of the county, through the county payroll process, from funds budgeted and made available by the law library board of trustees for that purpose through the collection of fees or other funds authorized by this act.

(e) All attorneys registered under this act shall not be liable to pay any occupational tax or city license fees levied under the laws of this state by any municipality.

(f) (1) Except as provided by subsection (f)(2), the board of trustees of a county law library established pursuant to this section may authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126, and amendments thereto, for the purpose of facilitating and enhancing functions of the district court of the county. No judge shall participate in any decision made by the board of trustees of a county law library pursuant to this paragraph to authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126, and amendments thereto.

(2) The provisions of subsection (f)(1) shall not apply to the board of trustees of any law library established in Johnson and Sedgwick counties."

Also, on page 1, following line 32, by inserting:

"Sec. 4. K.S.A. 2014 Supp. 60-2403 is hereby amended to read as follows: 60-2403. (a) (1) Except as provided in subsection (b) ~~or (d)~~, if a renewal affidavit is not filed or if execution, including any garnishment proceeding, support enforcement proceeding or proceeding in aid of execution, is not issued, within five years from the date of the entry of any judgment in any court of record in this state, including judgments in favor of the state or any municipality in the state, or within five years from the date of any order reviving the judgment or, if five years have intervened between the date of the last renewal affidavit filed or execution proceedings undertaken on the judgment and the time of filing another renewal affidavit or undertaking execution proceedings on it, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. When a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.

(2) A "renewal affidavit" is a statement under oath, signed by the judgment creditor or the judgment creditor's attorney, filed in the proceedings in which the judgment was entered and stating the remaining balance due and unpaid on the judgment.

(3) A "support enforcement proceeding" means any civil proceeding to enforce any judgment for payment of child support or maintenance and includes, but is not limited to, any income withholding proceeding under the income withholding act, K.S.A. 2014 Supp. 23-3101 et seq., and amendments thereto, any contempt proceeding and any civil proceeding under the uniform interstate family support act, K.S.A. 2014 Supp. 23-36,101 et seq., and amendments thereto.

(b) Except for those judgments which have become void as of July 1, 2007, no judgment for the support of a child shall be or become dormant for any purpose except as provided in this subsection. Except for those judgments which have become void as

of July 1, 2015, no judgment for court costs, fees, fines or restitution shall be or become dormant for any purpose except as provided in this subsection. If a judgment would have become dormant under the conditions set forth in subsection (a), the judgment shall cease to operate as a lien on the real estate of the judgment debtor as of the date the judgment would have become dormant, but the judgment shall not be released of record pursuant to subsection (a).

(c) The time within which action must be taken to prevent a judgment from becoming dormant does not run during any period in which the enforcement of the judgment by legal process is stayed or prohibited.

~~(d) If a renewal affidavit is not filed or if execution is not issued, within 10 years from the date of the entry of any judgment of restitution in any court of record in this state, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. Except as provided in subsection (b), when a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.~~

Sec. 5. K.S.A. 2014 Supp. 75-719 is hereby amended to read as follows: 75-719. (a) ~~The attorney general~~ judicial administrator is authorized to enter into contracts in accordance with this section for collection services for debts owed to courts or restitution owed under an order of restitution. On and after July 1, 1999, the cost of collection shall be paid by the defendant as an additional court cost in all criminal, traffic and juvenile offender cases where the defendant fails to pay any amount ordered by the court and the court utilizes the services of a contracting agent pursuant to this section. The cost of collection shall be deemed an administrative fee to pay the actual costs of collection made necessary by the defendant's failure to pay court debt and restitution.

(b) As used in this section:

(1) "Beneficiary under an order of restitution" means the victim or victims of a crime to whom a district court has ordered restitution be paid;

(2) "contracting agent" means a person, firm, agency or other entity who contracts hereunder to provide collection services;

(3) "cost of collection" means the fee specified in contracts hereunder to be paid to or retained by a contracting agent for collection services. Cost of collection also includes any filing fee required under K.S.A. 60-4303, and amendments thereto, or administrative costs prescribed by ~~the attorney general pursuant to rules and regulations~~ rules of the supreme court; and

(4) "debts owed to courts" means any assessment of court costs, fines, fees, moneys expended by the state in providing counsel and other defense services to indigent defendants or other charges which a district court judgment has ordered to be paid to the court, and which remain unpaid in whole or in part, and includes any interest or penalties on such unpaid amounts as provided for in the judgment or by law. "Debts owed to courts" also includes: (A) The cost of collection when collection services of a contracting agent hereunder are utilized; and (B) court costs, fines, fees or other charges arising from failure to comply with a traffic citation within 30 days from the date of the mailing of the notice pursuant to K.S.A. 8-2110(b)(1), and amendments thereto.

(c) (1) Contracts authorized by this section may be entered into with state or federal agencies or political subdivisions of the state of Kansas, including contracts for

participation in the collection program authorized by K.S.A. 75-6201 et seq., and amendments thereto. Such contracts also may be entered into with private firms or individuals selected by a procurement negotiation committee in accordance with K.S.A. 75-37,102, and amendments thereto, except that the ~~attorney general~~ judicial administrator shall designate a representative to serve as the chief administrative officer member of such committee and that the other two members of such committee shall be designated by the director of purchases and the judicial administrator.

(2) Prior to negotiating any contract for collection services, this procurement negotiation committee shall advertise for proposals, negotiate with firms and individuals submitting proposals and select among those submitting such proposals the party or parties to contract with for the purpose of collection services.

(3) The ~~attorney general~~ supreme court may adopt rules ~~and regulations~~ as deemed appropriate for the administration of this section, including procedures to be used in the negotiation and execution of contracts pursuant to this section and procedures to be followed by those who utilize collection services under such contracts.

(4) For purposes of this section, the agencies, firms or individuals with whom contracts are entered under this section shall be known as contracting agents. The ~~attorney general~~ judicial administrator shall publish a list of the contracting agents for use by courts or beneficiaries under orders of restitution who desire to utilize the collection services of such agents.

(5) Each contract entered pursuant to this section shall provide for a fee to be paid to or retained by the contracting agent for collection services. Such fee shall be designated as the cost of collection hereunder, and shall not exceed 33% of the amount collected. The cost of collection shall be paid from the amount collected, but shall not be deducted from the debts owed to courts or restitution. If a contracting agent uses the debt setoff procedures pursuant to K.S.A. 75-6202 et seq., and amendments thereto, to recover debts owed to the courts, the contracting agent's cost of collection for debt recovered through that program shall be the amount established by contract minus the collection assistance fee imposed by the director of accounts and reports of the department of administration pursuant to K.S.A. 75-6210, and amendments thereto.

(d) Judicial districts of the state of Kansas are authorized to utilize the collection services of contracting agents pursuant to this section for the purpose of collecting all outstanding debts owed to courts. Subject to rules and orders of the Kansas supreme court, each judicial district may establish by local rule guidelines for the compromise of court costs, fines, attorney fees and other charges assessed in district court cases.

(e) Any beneficiary under an order of restitution entered by a court after this section takes effect is authorized to utilize the collection services of contracting agents pursuant to this section for the purpose of collecting all outstanding amounts owed under such order of restitution.

(f) Contracts entered hereunder shall provide for the payment of any amounts collected to the clerk of the district court for the court in which the debt being collected originated, after first deducting the collection fee. In accounting for amounts collected from any person pursuant to this section, the district court clerk shall credit the person's amount owed in the amount of the net proceeds collected and shall not reduce the amount owed by any person by that portion of any payment which constitutes the cost of collection pursuant to this section.

(g) With the appropriate cost of collection paid to the contracting agent as agreed

upon in the contract hereunder, the clerk shall then distribute amounts collected hereunder as follows:

(1) When collection services are utilized pursuant to subsection (d), all amounts shall be applied against the debts owed to the court as specified in the original judgment creating the debt;

(2) when collection services are utilized pursuant to subsection (e), all amounts shall be paid to the beneficiary under the order of restitution designated to receive such restitution, except where that beneficiary has received recovery from the Kansas crime victims compensation board and such board has subrogation rights pursuant to K.S.A. 74-7312, and amendments thereto, in which case all amounts shall be paid to the board until its subrogation lien is satisfied.

(h) Whenever collection services are being utilized against the same debtor pursuant to both subsections (d) and (e), any amounts collected by a contracting agent shall be first applied to satisfy subsection (e) debts, debts pursuant to an order of restitution. Upon satisfaction of all such debts, amounts received from the same debtor shall then be applied to satisfy subsection (d) debts, debts owed to courts.

Sec. 6. K.S.A. 2014 Supp. 75-6202 is hereby amended to read as follows: 75-6202. As used in this act:

(a) "Debtor" means any person who:

(1) Owes a debt to the state of Kansas or any state agency or any municipality;

(2) owes support to an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2014 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended; or

(3) owes a debt to a foreign state agency.

(b) "Debt" means:

(1) Any liquidated sum due and owing to the state of Kansas, or any state agency, municipality or foreign state agency which has accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum. A debt shall not include special assessments except when the owner of the property assessed petitioned for the improvement and any successor in interest of such owner of property; ~~or~~

(2) any amount of support due and owing an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2014 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, which amount shall be considered a debt due and owing the district court trustee or the Kansas department for children and families for the purposes of this act; ~~or~~

(3) any assessment of court costs, fines, fees, moneys expended by the state in providing counsel and other defense services to indigent defendants or other charges which a district court judgment has ordered to be paid to the court and which remain unpaid in whole or in part, and includes any interest or penalties on such unpaid amounts as provided for in the judgment or by law. Such amount also includes the cost of collection when the collection services of a contracting agent are utilized.

(c) "Refund" means any amount of ~~Kansas~~ income tax refund due to any person as a result of an overpayment of tax, and for this purpose, a refund due to a husband and wife resulting from a joint return shall be considered to be separately owned by each



individual in the proportion of each such spouse's contribution to income, as the term "contribution to income" is defined by rules and regulations of the secretary of revenue.

(d) "Net proceeds collected" means gross proceeds collected through final setoff against a debtor's earnings, refund or other payment due from the state or any state agency minus any collection assistance fee charged by the director of accounts and reports of the department of administration.

(e) "State agency" means any state office, officer, department, board, commission, institution, bureau, agency or authority or any division or unit thereof and any judicial district of this state or the clerk or clerks thereof. "State agency" also shall include any: (1) District court utilizing collection services pursuant to K.S.A. 75-719, and amendments thereto, to collect debts owed to such court; and (2) contracting agent, as defined in K.S.A. 75-719, and amendments thereto, with which a district court contracts to collect debts owed to such court. Such contracting agent may directly establish a debt setoff account with the director for the sole purpose of collecting debts owed to courts.

(f) "Person" means an individual, proprietorship, partnership, limited partnership, association, trust, estate, business trust, corporation, other entity or a governmental agency, unit or subdivision.

(g) "Director" means the director of accounts and reports of the department of administration.

(h) "Municipality" means any municipality as defined by K.S.A. 75-1117, and amendments thereto.

(i) "Payor agency" means any state agency which holds money for, or owes money to, a debtor.

(j) "Foreign state or foreign state agency" means the states of Colorado, Missouri, Nebraska or Oklahoma or any agency of such states which has entered into a reciprocal agreement pursuant to K.S.A. 75-6215, and amendments thereto.

Sec. 7. K.S.A. 2014 Supp. 75-6204 is hereby amended to read as follows: 75-6204.

(a) Subject to the limitations provided in this act, if a debtor fails to pay to the state of Kansas or any state agency, foreign state agency, municipality or the federal department of the treasury an amount owed, the director may setoff such amount and a reasonable collection assistance fee determined in accordance with K.S.A. 75-6210, and amendments thereto, against any money held for, or any money owed to, such debtor by the state or any state agency.

(b) The director may enter into an agreement with a municipality for participation in the setoff program for the purpose of assisting in the collection of a debt as defined by K.S.A. 75-6202, and amendments thereto. The director shall include in any such agreement a provision requiring the municipality to certify that the municipality has made at least three attempts to collect a debt prior to submitting such debt to setoff pursuant to this act.

(c) (1) Except as provided in subsection (c)(2), the director shall add the cost of collection and the debt for a total amount subject to setoff against a debtor.

(2) Any debts due and owing to an individual, the state of Kansas or an agency of another state that are being enforced by the Kansas department for children and families under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, shall not have the cost of collection added to the debt owed and subject to setoff. Such cost of collection shall be paid by the Kansas department for children and families.



Sec. 8. K.S.A. 75-6209 is hereby amended to read as follows: 75-6209. (a) In accordance with the applicable times under K.S.A. 75-6208, and amendments thereto, the director shall complete the setoff by adding and retaining the collection assistance fee permitted by K.S.A. 75-6210, and amendments thereto, and transferring the net proceeds collected for credit or payment and by refunding any outstanding balance to the debtor.

(b) Upon completing the setoff, the director shall notify the debtor in writing of the action taken along with an accounting of the action taken. If there is an outstanding balance after setoff, the notice under this section shall accompany the balance when refunded.

(c) When a setoff is completed against earnings of an employee for any pay period and the setoff does not fully liquidate the debt due, further setoff in subsequent pay periods may be made without further certifications or notice to the debtor, except that the director shall notify the debtor in writing of the action taken and give an accounting thereof. The debtor may request an opportunity for hearing in regard to any further setoff in subsequent pay periods by making a written request therefor to the director. Any such request shall not stay future setoffs, but such hearing shall be held within a reasonable time, not to exceed 15 days after the request, unless a longer time has been agreed to by the debtor. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Orders resulting from hearings under this subsection shall not be subject to administrative review.

Sec. 9. K.S.A. 2014 Supp. 75-6210 is hereby amended to read as follows: 75-6210.

(a) Upon completion of a setoff transaction, the director shall transfer the net proceeds collected to the account or fund of the state agency, foreign state agency or municipality to which the debt was owed.

(b) (1) From the gross proceeds collected by the director through setoff, the director shall retain a reasonable collection assistance fee in an amount based on cost, as determined by generally accepted cost allocation techniques, except that in the case of transactions for collection of debts arising from the employment security law such fee shall not exceed \$300 for any transaction. Except as provided further, the director shall add the collection assistance fee to the debt after the debt is submitted to the director in accordance with K.S.A. 75-6206, and amendments thereto. Any debts due and owing to an individual, the state of Kansas or an agency of another state that are being enforced by the Kansas department for children and families under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, shall not have the collection assistance fee added to the debt owed and subject to setoff, and such fee shall be paid by the Kansas department for children and families.

(2) The director shall retain a reasonable collection assistance fee from the gross proceeds of collections through setoff on behalf of a municipality as specified in an agreement entered into pursuant to K.S.A. 75-6204, and amendments thereto, or foreign state agency in such amount as specified in the reciprocal agreement entered into pursuant to K.S.A. 75-6215, and amendments thereto.

(3) The collection assistance fee shall be paid as an additional cost for all debts owed to the court when the court utilizes debt setoff procedures pursuant to K.S.A. 75-6202 et seq., and amendments thereto. The collection assistance fee shall be retained from the amount collected, but shall not be deducted from the debts owed to the court.

(4) The director may credit a portion of the collection assistance fee to the appropriate account or fund of any other state agency that has incurred expenses in assisting in the collection of the debt.

(5) The amount of the collection assistance fee retained by the director shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the accounting services recovery fund.

(c) Upon receipt by the state agency, foreign state agency or municipality of the net proceeds collected, the state agency, foreign state agency or municipality shall credit the debtor's obligation in the amount of the gross proceeds collected.

(d) Except as otherwise prescribed by the director or the secretary of administration, any state agency, foreign state agency or municipality which receives any payment from a debtor after notification to the debtor under K.S.A. 75-6206, and amendments thereto, other than payments collected pursuant to K.S.A. 44-718, and amendments thereto, or collected through the federal government or judicial process, shall remit the collection assistance fee imposed under subsection (b) to the director which shall be credited to the accounting services recovery fund. If a state agency fails to remit the collection assistance fee as required by this subsection, the director may transfer an amount equal to such collection assistance fee from the appropriate account or fund of the state agency to the accounting services recovery fund. If a foreign state agency or municipality fails to remit the collection assistance fee as required by this subsection, the director may seek collection of such fee in such manner as may be allowed by law.

(e) In cases involving the collection of debts arising from the employment security law, the entire amount collected shall be credited to the employment security fund and the collection assistance fee shall be transferred from the special employment security fund to the accounting services recovery fund.";

Also on page 1, in line 33, before "K.S.A" by inserting "K.S.A. 20-3127 and 75-6209 and"; also in line 33, after "Supp." by inserting "20-302b,"; also in line 33, by striking "is" and inserting ", 60-2403, 75-719, 75-6202, 75-6204 and 75-6210 are"; in line 35, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2; in line 3, by striking all before the period and inserting "courts; relating to district magistrate judge jurisdiction and power; county law libraries; code of civil procedure, items allowable as costs; court costs, fees, fines and restitution; debts owed to courts; amending K.S.A. 20-3127 and 75-6209 and K.S.A. 2014 Supp. 20-302b, 60-2003, 60-2403, 75-719, 75-6202, 75-6204 and 75-6210 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

*Conferees on part of Senate*

JOHN E. BARKER  
 CHARLES MACHEERS  
 JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Barker, the conference committee report on **HB 2111** was adopted.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, DeGraaf, Houser, Rhoades, Ward.

Present but not voting: None.

Absent or not voting: Ballard, Moxley, Whitmer.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Schwartz, the House concurred in Senate amendments to **HB 2231**, AN ACT concerning oil and gas; relating to oil and gas wells, licensing of well operators, fees; relating to the abandoned oil and gas well fund, extension; amending K.S.A. 2014 Supp. 55-155 and 55-193 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 103; Nays 19; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Williams, Wilson.

Nays: Alcalá, Bollier, Bridges, Burroughs, Carlin, Carmichael, Frownfelter,

Henderson, Henry, Highberger, Kuether, Lane, Lusk, Ousley, Ruiz, Tietze, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ballard, Moxley, Whitmer.

#### **CHANGE OF CONFEREES**

Speaker pro tem Mast announced the appointment of Reps. Barker, Macheers and Carmichael as members of the conference committee on **S Sub for HB 2177** to replace Reps. Schwartz, Boldra and Victors.

#### **CHANGE OF REFERENCE**

Speaker pro tem Mast announced the withdrawal of **HB 2049** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **SB 193** from Committee on Appropriations and referral to Committee on Education.

#### **COMMITTEE ASSIGNMENT CHANGE**

Speaker pro tem Mast announced the appointment of Rep. Schwab to replace Rep. W. Carpenter on Committee on Commerce, Labor and Economic Development for Monday, May 4, only.

#### **REPORT ON ENGROSSED BILLS**

**HB 2064** reported correctly engrossed April 30, 2015.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, May 1, 2015.

# Journal of the House

## FIFTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, May 1, 2015, 8:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 103 members present.

Reps. Ballard, Brunk, Claeys, Edmonds, Finney, Frownfelter, Houston, Hutton, Kelley, Kuether, Ousley, Peck, Rhoades, Rubin, Ruiz, Sawyer, Schwab, Thimesch, Trimmer, Whipple, Whitmer and Wilson were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Barb Sundermeyer, Assistant Pastor, Family Life Church of the Nazarene, Topeka:

God, Our Father,

We thank you for this 1st day of May, for the beauty of Spring, for the joy of life and breath!

This morning we ask you for your presence and healing touch on the lives of many family members and friends of these Representatives, many that are in great need of your healing, your peace, and your comfort. Be with the family of Representative Ballard in the loss of her sister, Elenor Price. Also, be with the people of Nepal, its government and the compassionate ministries.

Forgive us when we forget to rest in you for the wisdom we so need for our daily decisions. Help us each not only to search our own hearts, but choose to hear from you, God, that as we go about all of today's business we may serve from your wisdom.

In Jesus name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hoffman.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2426**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; calculation of members' benefits; limiting accumulation of vacation leave for certain employees; amending K.S.A. 75-5517 and K.S.A. 2014 Supp. 74-4902 and repealing the existing sections, by Committee on Appropriations.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **SB 154**.

The Senate adopts the Conference Committee report on **HB 2061**.

**REPORTS OF STANDING COMMITTEES**

Committee on **Judiciary** recommends **SB 14** be passed.

Committee on **Veterans, Military and Homeland Security** recommends **SB 12** be amended by adoption of the amendments recommended by the House Committee on Veterans, Military and Homeland Security as reported in the Journal of the House on March 23, 2015, and the bill, as printed as House Substitute for SENATE BILL No. 12, be passed.

Committee on **Veterans, Military and Homeland Security** recommends **SB 112** be amended by adoption of the amendments recommended by the House Committee on Veterans, Military and Homeland Security as reported in the Journal of the House on March 23, 2015, and the bill, as printed as House Substitute for SENATE BILL No. 112, be passed.

**REPORT OF STANDING COMMITTEE**

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 74**, by Representative Dan Hawkins, congratulating Kimme Whittemore in recognition of being named Albert Pike Lodge #303 Teacher of the Year for 2015;

**Request No. 75**, by Representative Ponka-We Victors, congratulating Alista Thorne, in recognition of a successful reign as 2014- 2015 Miss Haskell;

**Request No. 76**, by Representative Steven Becker, congratulating Buhler Special Olympics, in recognition for winning the Special Olympics Kansas, Level 3-Senior State Basketball Championship;

**Request No. 77**, by Representative Don Hineman, congratulating Hoxie High School Girls Basketball Team, in recognition for four consecutive 26-0 seasons, 95 consecutive wins, and selection as USA Today's Best Girls Basketball Team for 2015;

**Request No. 78**, by Representative Tom Burroughs, congratulating the National Agriculture Center and Hall of Fame, in recognition of its 50<sup>th</sup> Anniversary;

**Request No. 79**, by Representative Jim Kelly, congratulating Rudy Taylor in recognition for being honored with the prestigious 2015 Clyde M. Reed, Jr. Master Editor Award;

**Request No. 80**, by the Kansas House of Representatives, congratulating Charlene Swanson on 40 sessions of service to the Kansas Legislature;

**Request No. 81**, by Representative Tom Moxley, congratulating Wendy Webb in recognition for her inspiration, planning, developing and nurturing the Parents As Teachers Program;

**Request No. 82**, by Representative Tony Barton, congratulating the Leavenworth Pioneers Girls Varsity Basketball Team in recognition of winning the varsity girls basketball 5A Kansas State Championship;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, May 4, 2015.

# Journal of the House

## FIFTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, May 4, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Reps. Bridges, Edmonds, Goico, Kelley, Thimesch and Whipple were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Andy Inskeep, pastor, Velocity Church, Topeka:

God,

As we gather this morning help us remember who you are, help us to see who you are. You are a God who is merciful and forgiving. You are patient, persistent and faithful. God, you are just. You are a loving God, relational and active. You are sovereign. God, you are good and beautiful.

Lord, help us to be honest with ourselves. Often we compare ourselves to others and think we are better or no worse than the person next to ourselves. But let us be honest with ourselves. Help us to acknowledge and confess our failures and short comings. Help us to see our need for you in our life. Let us see the potential in our life and in our communities if we turn to you. Let our confession not only be words of personal contrition, but help us to be willing to be honest about the brokenness in our communities, the groups we gather and often in the way we seek to govern. Help us to truly seek your help and give us hope in these areas.

We ask, God, that your spirit guides us in our time together today.

Let us not be consumed by the busyness of life. Give us the strength we need. Help us to instill good limits and look to others for help that we may be fresh and focused.

God, I ask that you are with those this morning that are carry heavy weights along with the decisions that we will make here this week. Whether those are the difficult decisions or adversity with another job, family issues or someone we care about that is sick or suffering; God please help us.

As we work for decisions, God gives us the ability to be



open. Help us to see what you want. Help us to truly listen to someone else's perspective even if we think we understand or know it already. God give us the creativity to think about new ways to address the issues and seek compromise to resolve the issues laid out before us.

Finally God, I ask that you help us treat each other in a way that reflects the love you have for us and the value you place in life. Even if we have heated arguments or have deep disagreements with others here, help us value them as a human. Let us seek to build relationships with those we do not agree with.

Let your work in our relationships, our creativity, your help in difficulties and your guidance help our faith in you grow.

In the name of Jesus Christ, I pray, Amen.

The Pledge of Allegiance was led by Rep. Hill.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2427**, AN ACT concerning taxation; relating to motor vehicle fuel taxes, rates, permits, refunds and distribution of; sales and compensating tax, distribution; amending K.S.A. 79-3453 and K.S.A. 2014 Supp. 79-3408, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-3620 and 79-3710 and repealing the existing sections, by Committee on Taxation.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Commerce, Labor and Economic Development: **HB 2426**.

## MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2051**.

## REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 276** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

## COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Ward to replace Rep. Whipple on Committee on Commerce, Labor and Economic Development for Monday, May 4, only.

## REPORT ON ENGROSSED BILLS

**HB 2013**, **HB 2231** reported correctly engrossed April 30, 2015.

Also, **HB 2044** reported correctly re-engrossed April 30, 2015

Also, **HB 2111** reported correctly engrossed May 1, 2015.

**REPORT ON ENROLLED BILLS**

**HB 2064** reported correctly enrolled, properly signed and presented to the Governor on May 4, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, May 5, 2015.

# Journal of the House

FIFTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, May 5, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Reps. Gonzalez, Kahrs and Whipple were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Branson Roberts, pastor, Topeka First Church of the Nazarene:

Almighty God,

You are the Creator God, and everything exists for your glory. By your word you have shown us what you require of us: to act justly, to love mercy, and to walk humbly before you.

Lord, we are so grateful for the privilege to live in this land, at such a time as this.

Thank you for choosing and shaping ordinary people to rise up and lead this great state.

And now to this body of people, who are charged with serving the citizens of the state of Kansas; whom you have chosen and shaped for such a time as this.

O God, grant that all the public work which has been given to this body to do, will only motivate them to serve their fellow man.

Help them to set loyalty to the right things above all loyalty to party or to class.

Grant that the importance of their work may never make them full of their own self-importance, but rather that it may make them humbly eager to serve and to help the people of Kansas.

Give them wisdom of mind, clearness in their thinking, truth in their speaking, and always love in their hearts, so that they may try always to unite people and never to divide them.

Help them always to set the interests of the state above those of the party; and faithfulness to your requirements to justice and mercy above everything else.

So grant that at the end of this day, they may win the approval of their own conscience, the respect of their fellow man, and Your "Well Done!"

I humbly offer this prayer for the sake of Jesus, who was also chosen by you to serve among his fellow man, and model the walk of justice and mercy. AMEN.

The Pledge of Allegiance was led by Rep. Ballard.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Moxley are spread upon the Journal:

One-by-one they arrive bright eyed and bushy tailed. Some toddle over to the art easel, eyeing the rainbow of paint colors, while others plop down in the book corner, arms stretched out with story in-hand. Smiles and laughter fill the room as parent educators greet the district's youngest learners and their parents for an hour filled with fun. It's another playgroup day for Wendy Webb and her Blue Valley's Parents as Teachers (PAT) program at Hilltop Learning Center.

Weekly playgroups are just one of many offerings the PAT program provides district families with children age birth to 3 years, along with home visits, screenings, group connections and more. For years, Blue Valley's PAT program and programs throughout Kansas have served parents in the community, helping to provide them the knowledge and skills parents need to make a difference as their child's first teacher. This year the state of Kansas and Blue Valley's PAT program celebrate a milestone 25 years of service to families and early learners.

These children's early years create the foundation for a lifetime of learning. Parents As Teachers has made a difference in the lives of families, including that of my own children and grandchildren. Children do not come with instructions but PAT has filled that role for tens of thousands of families over the last 25 years. The program has prepared our children socially, emotionally and academically. PAT parent educators are a wonderful resource and reassure parents by providing tools and learnings that help expand parenting skills and aid in child development."

Wendy Webb, Blue Valley's PAT Coordinator, has been with the program in Blue Valley since its inception and is proud and humbled to be a part of the PAT team and the impact it has on families. For Webb, the parent educators, in addition to the continued district support, are truly what have made PAT so successful over the past 25 years.

"Parent educators are the heart and soul of the PAT program," Webb said. "The reason the program has grown and developed a great reputation is because of the job they do every single day. Excellent parent education begins with a relationship and our parent educators are experts at building relationships. They go above and beyond to make sure families are networked with the resources they need and are always ready to deal with all kinds of circumstances in a calm and composed manner."

Wendy Webb personifies the Parents As Teachers program in Kansas. Twenty five years ago she saw what it could do by observing Missouri and worked to found the program in Kansas. Since she has inspired others to develop this valuable program throughout Kansas. Because of this the Kansas House of Representatives would like to honor Wendy Webb for her work in the PAT program.

So it is with sincere congratulations that the House of Representatives honors Wendy Webb for her inspiration, planning, development and nurturing of the Parents As

Teachers Program in Kansas.

Rep. Moxley presented a framed House certificate to Wendy Webb.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2428**, AN ACT concerning taxation; relating to income tax, rates on corporations; sunsetting certain credits for high performance firms; payroll withholding taxes, sunsetting benefits under the promoting employment across Kansas act; sales tax, sunsetting certain exemptions for high performance firms; amending K.S.A. 2014 Supp. 74-50,115, 74-50,132, 74-50,212, 79-32,110, 79-32,160a and 79-3606 and repealing the existing sections, by Committee on Taxation.

**HB 2429**, AN ACT concerning sales and compensating tax; relating to rates; amending K.S.A. 2014 Supp. 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

**HB 2430**, AN ACT concerning income taxation; relating to determination of income, subtraction modifications; rates for resident individuals with income from certain businesses who employ one or more persons; amending K.S.A. 2014 Supp. 79-32,110, 79-32,111 and 79-32,117 and repealing the existing sections, by Committee on Taxation.

## HOUSE CONCURRENT RESOLUTION No. **HCR 5018**—

By Representatives Garber, Anthimides, Barton, Bradford, Brunk, W. Carpenter, Clark, Corbet, DeGraaf, Dove, Ewy, Goico, Hedke, Highland, Hoffman, Huebert, Hutchins, Hutton, K. Jones, Kiegerl, O'Brien, Pauls, Peck, Powell, Read, Rhoades, Scapa, Seiwert and Thimesch

**HCR 5018**-- A PROPOSITION to amend section 1 of the bill of rights of the constitution of the state of Kansas, relating to equal rights.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of the bill of rights of the constitution of the state of Kansas is hereby amended to read as follows:

**"§ 1. Equal rights.** All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness. *Recognizing the authority of the state of Kansas to exercise its police power and its sovereign right to adopt individual liberties in the constitution of the state of Kansas more expansive than those conferred by the constitution of the United States, the state of Kansas shall hereby guarantee the inalienable rights, equal protection and due process of law of every human being from the beginning of the biological development of that human being, including fertilization.*"

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to expand the class of human beings that currently enjoy inalienable rights, equal protection, and due process of the law under the constitution of the state of Kansas to every human being from the beginning of the biological development of that human being, including fertilization.

"A vote for this proposition would amend the Kansas constitution to explicitly incorporate into it the inalienable right to life of every human being irrespective of age, race, gender, health, function, condition of dependency, including physical or mental dependency, or method of reproduction, from the beginning of their biological development, including fertilization. The proposed constitutional amendment also would prohibit the state from discriminating against any class of human beings in the application, interpretation and enforcement of its laws.

"A vote against this proposition would not amend the constitution, in which case the current federally mandated legal status of preborn humans would remain that of a class of human beings that can intentionally be killed."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2016 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2427**.

## CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2418** from Committee on Judiciary and referral to Committee on Commerce, Labor and Economic Development.

## MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2042**.

The Senate adopts the Conference Committee report on **S Sub for HB 2043**.

The Senate adopts the Conference Committee report on **S Sub for HB 2149**.

The Senate adopts the Conference Committee report on **S Sub for HB 2155**.

The Senate adopts the Conference Committee report on **HB 2165**.

## CONSENT CALENDAR

Objection was made to **SB 276** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

## REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2365** be amended on page 1, by striking all in lines 5 through 13; in line 18, by striking "\$96,689,750" and inserting "\$101,904,750";

On page 2, following line 43, by inserting:

"(c) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from the state general fund or from any special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee on the feasibility of the Washburn university school of law law library assuming the duties of the Kansas supreme court law library, and accepting the transfer of the collection of materials: *Provided*, That such report shall include a cost analysis of the proposal: *Provided further*, That such report shall be made available no later than the first day of the 2016 regular session of the legislature.";

On page 3, in line 5, by striking "\$96,706,812" and inserting "\$105,685,224";

On page 4, following line 36, by inserting:

"New Sec. 5. (a) On and after the effective date of this act, any party filing a dispositive motion shall pay a fee in the amount of \$195 to the clerk of the district court. A poverty affidavit may be filed in lieu of payment of such fee, as established in K.S.A. 60-2001, and amendments thereto. The fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto. The fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect such fee. Such fee shall be an item allowable as a cost pursuant to K.S.A. 60-2003, and amendments thereto.

(b) As used in this section, "dispositive motion" means a motion to dismiss, a motion for judgment on the pleadings, a motion for summary judgment or partial summary judgment or a motion for judgment as a matter of law. "Dispositive motion" also shall include any motion determined by a judge to be seeking any disposition described in this subsection, regardless of the title assigned to such motion at the time of filing.

(c) The state of Kansas and all municipalities in this state, as defined in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying such fee.

(d) The provisions of this section shall not apply to an action pursuant to the code of civil procedure for limited actions.

(e) This section shall be part of and supplemental to the code of civil procedure.

Sec. 6. On and after July 1, 2015, K.S.A. 2014 Supp. 8-2107 is hereby amended to read as follows: 8-2107. (a) (1) Notwithstanding any other provisions of the uniform act regulating traffic on highways, when a person is stopped by a police officer for any of the offenses described in subsection (d) and such person is not immediately taken before a judge of the district court, the police officer may require the person stopped, subject to the provisions of subsection (c), to deposit with the officer a valid Kansas driver's license in exchange for a receipt therefor issued by such police officer, the form of which shall be approved by the division of vehicles. Such receipt shall be recognized as a valid temporary Kansas driver's license authorizing the operation of a motor

vehicle by the person stopped until the date of the hearing stated on the receipt. The driver's license and a written copy of the notice to appear shall be delivered by the police officer to the court having jurisdiction of the offense charged as soon as reasonably possible. If the hearing on such charge is continued for any reason, the judge may note on the receipt the date to which such hearing has been continued and such receipt shall be recognized as a valid temporary Kansas driver's license until such date, but in no event shall such receipt be recognized as a valid Kansas driver's license for a period longer than 30 days from the date set for the original hearing. Any person who has deposited a driver's license with a police officer under this subsection (a) shall have such license returned upon final determination of the charge against such person.

(2) In the event the person stopped deposits a valid Kansas driver's license with the police officer and fails to appear in the district court on the date set for appearance, or any continuance thereof, and in any event within 30 days from the date set for the original hearing, the court shall forward such person's driver's license to the division of vehicles with an appropriate explanation attached thereto. Upon receipt of such person's driver's license, the division shall suspend such person's privilege to operate a motor vehicle in this state until such person appears before the court having jurisdiction of the offense charged, the court makes a final disposition thereof and notice of such disposition is given by the court to the division. No new or replacement license shall be issued to any such person until such notice of disposition has been received by the division. The provisions of K.S.A. 8-256, and amendments thereto, limiting the suspension of a license to one year, shall not apply to suspensions for failure to appear as provided in this subsection (a).

(b) No person shall apply for a replacement or new driver's license prior to the return of such person's original license which has been deposited in lieu of bond under this section. Violation of this subsection (b) is a class C misdemeanor. The division may suspend such person's driver's license for a period of not to exceed one year from the date the division receives notice of the disposition of the person's charge as provided in subsection (a).

(c) (1) In lieu of depositing a valid Kansas driver's license with the stopping police officer as provided in subsection (a), the person stopped may elect to give bond in the amount specified in subsection (d) for the offense for which the person was stopped. When such person does not have a valid Kansas driver's license, such person shall give such bond. Such bond shall be subject to forfeiture if the person stopped does not appear at the court and at the time specified in the written notice provided for in K.S.A. 8-2106, and amendments thereto.

(2) Such bond may be a cash bond, a bank card draft from any valid and unexpired credit card approved by the division of vehicles or superintendent of the Kansas highway patrol or a guaranteed arrest bond certificate issued by either a surety company authorized to transact such business in this state or an automobile club authorized to transact business in this state by the commissioner of insurance. If any of the approved bank card issuers redeem the bank card draft at a discounted rate, such discount shall be charged against the amount designated as the fine for the offense. If such bond is not forfeited, the amount of the bond less the discount rate shall be reimbursed to the person providing the bond by the use of a bank card draft. Any such guaranteed arrest bond certificate shall be signed by the person to whom it is issued and shall contain a printed statement that such surety company or automobile club guarantees the appearance of



such person and will, in the event of failure of such person to appear in court at the time of trial, pay any fine or forfeiture imposed on such person not to exceed an amount to be stated on such certificate.

(3) Such cash bond shall be taken in the following manner: The police officer shall furnish the person stopped a stamped envelope addressed to the judge or clerk of the court named in the written notice to appear and the person shall place in such envelope the amount of the bond, and in the presence of the police officer shall deposit the same in the United States mail. After such cash payment, the person stopped need not sign the written notice to appear, but the police officer shall note the amount of the bond mailed on the notice to appear form and shall give a copy of such form to the person. If the person stopped furnishes the police officer with a guaranteed arrest bond certificate or bank card draft, the police officer shall give such person a receipt therefor and shall note the amount of the bond on the notice to appear form and give a copy of such form to the person stopped. Such person need not sign the written notice to appear, and the police officer shall present the notice to appear and the guaranteed arrest bond certificate or bank card draft to the court having jurisdiction of the offense charged as soon as reasonably possible.

(d) The offenses for which appearance bonds may be required as provided in subsection (c) and the amounts thereof shall be as follows:

On and after July 1, 1996:

Reckless driving.....	\$82
Driving when privilege is canceled, suspended or revoked.....	82
Failure to comply with lawful order of officer.....	57
Registration violation (registered for 12,000 pounds or less).....	52
Registration violation (registered for more than 12,000 pounds).....	92
No driver's license for the class of vehicle operated or violation of restrictions.....	52
Spilling load on highway.....	52
Transporting open container of alcoholic liquor or cereal malt beverage accessible while vehicle in motion.....	223

(e) In the event of forfeiture of any bond under this section, \$75 of the amount forfeited shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(f) None of the provisions of this section shall be construed to conflict with the provisions of the nonresident violator compact.

(g) When a person is stopped by a police officer for any traffic infraction and the person is a resident of a state which is not a member of the nonresident violator compact, K.S.A. 8-1219 et seq., and amendments thereto, or the person is licensed to drive under the laws of a foreign country, the police officer may require a bond as provided for under subsection (c). The bond shall be in the amount specified in the uniform fine schedule in ~~subsection (c) of~~ K.S.A. 8-2118(c), and amendments thereto, plus \$75 which shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(h) When a person is stopped by a police officer for failure to provide proof of financial security pursuant to K.S.A. 40-3104, and amendments thereto, and the person is a resident of another state or the person is licensed to drive under the laws of a foreign country, the police officer may require a bond as provided for under subsection

(c). The bond shall be in the amount of \$75, plus \$75 which shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(i) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 7. On and after July 1, 2015, K.S.A. 2014 Supp. 8-2110 is hereby amended to read as follows: 8-2110. (a) Failure to comply with a traffic citation means failure either to: (1) Appear before any district or municipal court in response to a traffic citation and pay in full any fine and court costs imposed; or (2) otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and amendments thereto. Failure to comply with a traffic citation is a misdemeanor, regardless of the disposition of the charge for which such citation was originally issued.

(b) (1) In addition to penalties of law applicable under subsection (a), when a person fails to comply with a traffic citation, except for illegal parking, standing or stopping, the district or municipal court in which the person should have complied with the citation shall mail notice to the person that if the person does not appear in district or municipal court or pay all fines, court costs and any penalties within 30 days from the date of mailing notice, the division of vehicles will be notified to suspend the person's driving privileges. The district or municipal court may charge an additional fee of \$5 for mailing such notice. Upon the person's failure to comply within such 30 days of mailing notice, the district or municipal court shall electronically notify the division of vehicles. Upon receipt of a report of a failure to comply with a traffic citation under this subsection, pursuant to K.S.A. 8-255, and amendments thereto, the division of vehicles shall notify the violator and suspend the license of the violator until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the informing court. When the court determines the person has complied with the terms of the traffic citation, the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension or suspension action.

(2) (A) In lieu of suspension under paragraph (1), the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable \$25 application fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund.

(B) A person whose driver's license has expired during the period when such person's driver's license has been suspended for failure to pay fines for traffic citations, the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable \$25 application fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application fees to the state

treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund. An individual shall not qualify for restricted driving privileges pursuant to this section unless the following conditions are met: (i) The suspended license that expired was issued by the division of vehicles; (ii) the suspended license resulted from the individual's failure to comply with a traffic citation pursuant to subsection (b)(1); (iii) the traffic citation that resulted in the failure to comply pursuant to subsection (b)(1) was issued in this state; and (iv) the individual has not previously received a stayed suspension as a result of a driving while suspended conviction.

(C) Upon review and approval of the driver's eligibility, the driving privileges will be restricted by the division of vehicles for a period up to one year or until the terms of the traffic citation have been complied with and the court shall immediately electronically notify the division of vehicles of such compliance. If the driver fails to comply with the traffic citation within the one year restricted period, the driving privileges will be suspended by the division of vehicles until the court determines the person has complied with the terms of the traffic citation and the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension action. When restricted driving privileges are approved pursuant to this section, the person's driving privileges shall be restricted to driving only under the following circumstances: (i) In going to or returning from the person's place of employment or schooling; (ii) in the course of the person's employment; (iii) in going to or returning from an appointment with a health care provider or during a medical emergency; and (iv) in going to and returning from probation or parole meetings, drug or alcohol counseling or any place the person is required to go by a court.

(c) Except as provided in subsection (d), when the district or municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of \$59 for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit 42.37% of such moneys to the division of vehicles operating fund, 31.78% to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, 10.59% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, and 15.26% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2014 Supp. 20-1a15, and amendments thereto.

(d) The district court or municipal court shall waive the reinstatement fee provided for in subsection (c), if the failure to comply with a traffic citation was the result of such person enlisting in or being drafted into the armed services of the United States, being called into service as a member of a reserve component of the military service of the

United States, or volunteering for such active duty, or being called into service as a member of the state of Kansas national guard, or volunteering for such active duty, and being absent from Kansas because of such military service. In any case of a failure to comply with a traffic citation which occurred on or after August 1, 1990, and prior to the effective date of this act, in which a person was assessed and paid a reinstatement fee and the person failed to comply with a traffic citation because the person was absent from Kansas because of any such military service, the reinstatement fee shall be reimbursed to such person upon application therefor. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(e) Except as provided further, the reinstatement fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.

Sec. 8. K.S.A. 2014 Supp. 20-362 is hereby amended to read as follows: 20-362. The clerk of the district court shall remit all revenues received from docket fees as follows:

(a) At least monthly to the county treasurer, for deposit in the county treasury and credit to the county general fund:

(1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A. 60-2001 and 60-3005, and amendments thereto, during the preceding calendar month;

(2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant to K.S.A. 61-4001, or K.S.A. 61-2704 or 61-2709, and amendments thereto; and

(3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A. 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preceding calendar month.

(b) At least monthly to the board of trustees of the county law library fund, for deposit in the fund, a sum equal to the library fees paid during the preceding calendar month for cases filed in the county.

(c) At least monthly to the county treasurer, for deposit in the county treasury and credit to the prosecuting attorneys' training fund, a sum equal to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month for cases filed in the county and a sum equal to \$1 for each fee paid pursuant to ~~subsection (e) of~~ K.S.A. 28-170(c), and amendments thereto, during the preceding calendar month for cases filed in the county.

(d) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury and credit to the law enforcement training center fund a sum equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month.

(e) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury a sum equal to the balance which remains from all docket fees paid during the preceding calendar month after deduction of the amounts specified in subsections (a), (b), (c) and (d). Of the balance remitted to

the state treasury pursuant to this subsection, the state treasurer shall credit 0.99% to the judicial council fund. During the fiscal years ending June 30, 2015, June 30, 2016, ~~and June 30, 2017, and June 30, 2018,~~ of the remainder, the state treasurer shall deposit and credit the first \$3,100,000 to the electronic filing and management fund created in K.S.A. 2014 Supp. 20-1a16, and amendments thereto. During the fiscal year ending June 30, ~~2018~~ 2019, and each fiscal year thereafter, of the remainder, the state treasurer shall deposit and credit the first \$1,000,000 to the electronic filing and management fund. Of the balance which remains after deduction of the amounts specified in this subsection, the state treasurer shall deposit and credit the remainder to the judicial branch docket fee fund.

Sec. 9. On and after July 1, 2015, K.S.A. 2014 Supp. 20-3021 is hereby amended to read as follows: 20-3021. (a) (1) On and after July 1, 2014, any party filing an appeal with the court of appeals shall pay a fee in the amount of \$145 to the clerk of the supreme court.

(2) On and after July 1, 2014, any party filing an appeal with the supreme court shall pay a fee in the amount of \$145 to the clerk of the supreme court.

(b) A poverty affidavit may be filed in lieu of a fee as established in K.S.A. 60-2001, and amendments thereto.

(c) The fee shall be the only costs assessed in each case to services of the clerk of the supreme court. The clerk of the supreme court shall remit all revenues received from this section to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury. The fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

(d) Except as provided further, the fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$10 per fee, to fund the costs of non-judicial personnel.

(e) The state of Kansas and all municipalities in this state, as defined in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying such fee.

Sec. 10. On and after July 1, 2015, K.S.A. 2014 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, nondrug crimes ranked in severity levels 6 through 10, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2014 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any nondrug crime ranked in severity levels 1 through 5, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2014 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) No person may petition for expungement until seven or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion

agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a violation of K.S.A. 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto, including any diversion for such violation.

(e) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2014 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3)~~ of K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or ~~subsection (a)(3) or (a)(4)~~ of K.S.A. 2014 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2014 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2014 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto;

(7) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2014 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2014 Supp. 21-5601, and amendments thereto;

(9) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2014 Supp. 21-5602, and amendments thereto;

(10) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2014 Supp. 21-5405, and amendments thereto;

(15) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2014 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2014 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.



(f) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

- (A) Defendant's full name;
- (B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;
- (C) defendant's sex, race and date of birth;
- (D) crime for which the defendant was arrested, convicted or diverted;
- (E) date of the defendant's arrest, conviction or diversion; and
- (F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of ~~-\$100~~ \$176. On and after July 1, ~~2013~~ 2015, through July 1, ~~2015~~ June 30, 2017, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:



(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2014 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) Notwithstanding the provisions of subsection (k)(1), and except as provided in ~~subsection (a)(3)(A)~~ of K.S.A. 2014 Supp. 21-6304(a)(3)(A), and amendments thereto, the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt or possession of firearms by persons previously convicted of a felony.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (9) the governor or the Kansas racing and gaming commission, or a designee of the

commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(m) The provisions of subsection (l)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 11. On and after July 1, 2015, K.S.A. 2014 Supp. 22-2410 is hereby amended to read as follows: 22-2410. (a) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. When a petition for expungement is filed, the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court

designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel. The petition shall state:

- (1) The petitioner's full name;
- (2) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;
- (3) the petitioner's sex, race and date of birth;
- (4) the crime for which the petitioner was arrested;
- (5) the date of the petitioner's arrest; and
- (6) the identity of the arresting law enforcement agency.

No surcharge or fee shall be imposed to any person filing a petition pursuant to this section, who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-6107(a), and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

- (2) a court has found that there was no probable cause for the arrest;
- (3) the petitioner was found not guilty in court proceedings; or
- (4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes: (1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 12. On and after July 1, 2015, K.S.A. 2014 Supp. 23-2510 is hereby amended to read as follows: 23-2510. (a) The judge or clerk of the district court shall collect from the applicant for a marriage license a fee of \$59.

(b) The clerk of the court shall remit all fees prescribed by this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Of each remittance, the state treasurer shall credit 38.98% to the protection from abuse fund, 15.19% to the family and children trust account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto, 16.95% to the crime victims assistance fund created by K.S.A. 74-7334, and

amendments thereto, 15.25% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2014 Supp. 20-1a15, and amendments thereto, and the remainder to the state general fund.

(c) Except as provided further, the marriage license fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for a marriage license. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013-2015~~, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$26.50 per marriage license fee, to fund the costs of non-judicial personnel.

Sec. 13. On and after July 1, 2015, K.S.A. 2014 Supp. 28-170 is hereby amended to read as follows: 28-170. (a) The docket fee prescribed by K.S.A. 60-2001, and amendments thereto, and the fees for service of process, shall be the only costs assessed for services of the clerk of the district court and the sheriff in any case filed under chapter 60 or chapter 61 of the Kansas Statutes Annotated, and amendments thereto, except that no fee shall be charged for an action filed under K.S.A. 60-3101 et seq., and under K.S.A. 60-31a01 et seq., and amendments thereto. For services in other matters in which no other fee is prescribed by statute, the following fees shall be charged and collected by the clerk. Only one fee shall be charged for each bond, lien or judgment:

1. For filing, entering and releasing a bond, mechanic's lien, notice of intent to perform, personal property tax judgment or any judgment on which execution process cannot be issued ..... \$14
2. For filing, entering and releasing a judgment of a court of this state on which execution or other process can be issued .....\$24
3. For a certificate, or for copying or certifying any paper or writ, such fee as shall be prescribed by the district court.

(b) The fees for entries, certificates and other papers required in naturalization cases shall be those prescribed by the federal government and, when collected, shall be disbursed as prescribed by the federal government. The clerk of the court shall remit to the state treasurer at least monthly all moneys received from fees prescribed by subsection (a) or (b) or received for any services performed which may be required by law. The state treasurer shall deposit the remittance in the state treasury and credit the entire amount to the state general fund.

(c) In actions pursuant to the revised Kansas code for care of children, K.S.A. 2014 Supp. 38-2201 et seq., and amendments thereto, the revised Kansas juvenile justice code, K.S.A. 2014 Supp. 38-2301 et seq., and amendments thereto, the act for treatment of alcoholism, K.S.A. 65-4001 et seq., and amendments thereto, the act for treatment of drug abuse, K.S.A. 65-5201 et seq., and amendments thereto, or the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto, the clerk shall charge an additional fee of \$1 which shall be deducted from the docket fee and credited to the prosecuting attorneys' training fund as provided in K.S.A. 28-170a, and amendments thereto.

(d) Except as provided further, the bond, lien or judgment fee established in subsection (a) shall be the only fee collected or moneys in the nature of a fee collected for such bond, lien or judgment. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On

and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per bond, lien or judgment fee, to fund the costs of non-judicial personnel.

Sec. 14. On and after July 1, 2015, K.S.A. 2014 Supp. 28-172a is hereby amended to read as follows: 28-172a. (a) Except as otherwise provided in this section, whenever the prosecuting witness or defendant is adjudged to pay the costs in a criminal proceeding in any county, a docket fee shall be taxed as follows, on and after July 1, 2013:

Murder or manslaughter.....	\$180.50
Other felony.....	171.00
Misdemeanor.....	136.00
Forfeited recognizance.....	72.50
Appeals from other courts.....	72.50

(b) (1) Except as provided in paragraph (2), in actions involving the violation of any of the laws of this state regulating traffic on highways, including those listed in ~~subsection (e) of K.S.A. 8-2118(c)~~, and amendments thereto, a cigarette or tobacco infraction, any act declared a crime pursuant to the statutes contained in chapter 32 of the Kansas Statutes Annotated, and amendments thereto, or any act declared a crime pursuant to the statutes contained in article 8 of chapter 82a of the Kansas Statutes Annotated, and amendments thereto, whenever the prosecuting witness or defendant is adjudged to pay the costs in the action, on and after July 1, 2014, a docket fee of \$86 shall be charged. When an action is disposed of under ~~subsections (a) and (b) of K.S.A. 8-2118(a) and (b)~~, or ~~subsection (f) of K.S.A. 79-3393(f)~~, and amendments thereto, on and after July 1, 2014, the docket fee to be paid as court costs shall be \$86.

(2) In actions involving the violation of a moving traffic violation under K.S.A. 8-2118, and amendments thereto, as defined by rules and regulations adopted under K.S.A. 8-249, and amendments thereto, whenever the prosecuting witness or defendant is adjudged to pay the costs in the action, on and after July 1, 2014, a docket fee of \$86 shall be charged. When an action is disposed of under ~~subsection (a) and (b) of K.S.A. 8-2118(a) and (b)~~, and amendments thereto, on and after July 1, 2014, the docket fee to be paid as court costs shall be \$86.

(c) If a conviction is on more than one count, the docket fee shall be the highest one applicable to any one of the counts. The prosecuting witness or defendant, if assessed the costs, shall pay only one fee. Multiple defendants shall each pay one fee.

(d) Statutory charges made pursuant to the provisions of K.S.A. 20-362, and amendments thereto, shall be paid from the docket fee; the family violence and child abuse and neglect assistance and prevention fund fee shall be paid from criminal proceedings docket fees. All other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Additional fees shall include, but are not limited to, fees for Kansas bureau of investigation forensic or laboratory analyses, fees for detention facility processing pursuant to K.S.A. 12-16,119, and amendments thereto, fees for the sexual assault evidence collection kit, fees for conducting an examination of a sexual assault victim, fees for service of process outside the state, witness fees, fees for transcripts and depositions, costs from other courts, doctors' fees and examination and evaluation fees. No sheriff in this state shall charge any district court of this state a fee or mileage for serving any paper or process.



(e) In each case charging a violation of the laws relating to parking of motor vehicles on the statehouse grounds or other state-owned or operated property in Shawnee county, Kansas, as specified in K.S.A. 75-4510a, and amendments thereto, or as specified in K.S.A. 75-4508, and amendments thereto, the clerk shall tax a fee of \$2 which shall constitute the entire costs in the case, except that witness fees, mileage and expenses incurred in serving a warrant shall be in addition to the fee. Appearance bond for a parking violation of K.S.A. 75-4508 or 75-4510a, and amendments thereto, shall be \$3, unless a warrant is issued. The judge may order the bond forfeited upon the defendant's failure to appear, and \$2 of any bond so forfeited shall be regarded as court costs.

(f) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 15. On and after July 1, 2015, K.S.A. 2014 Supp. 28-177 is hereby amended to read as follows: 28-177. (a) Except as provided in this section and K.S.A. 2014 Supp. 28-178, and amendments thereto, the fees established by legislative enactment shall be the only fee collected or moneys in the nature of a fee collected for court procedures. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. Court procedures shall include docket fees, filing fees or other fees related to access to court procedures. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$26.50 per fee or the amount established by the applicable statute, whichever amount is less, to fund the costs of non-judicial personnel.

(b) Such additional charge imposed by the court pursuant to K.S.A. 8-2107, 8-2110, 22-2410, 28-170, 28-172a, 59-104, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and K.S.A. 2014 Supp. 21-6614, 23-2510, 28-178, 28-179, 32-1049a, 38-2215, 38-2312 and 38-2314, and amendments thereto, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the judicial branch docket fee fund, which is hereby created in the state treasury.

(c) Moneys credited to the judicial branch docket fee fund shall not be expended for compensation of judges or justices of the judicial branch.

(d) All expenditures from the judicial branch docket fee fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

(e) Expenditures may be made from the judicial branch docket fee fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, and for educating and training municipal judges and municipal court and support staff, including official hospitality. The judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs. Such fees may be fixed to cover all or part of the operating



expenditures incurred in providing such services and programs, including official hospitality. All fees received for such purposes and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch docket fee fund.

(f) On the effective date of this act:

(1) The director of accounts and reports shall transfer all moneys in the judicial branch surcharge fund to the judicial branch docket fee fund;

(2) all liabilities of the judicial branch surcharge fund existing prior to that date are hereby imposed on the judicial branch docket fee fund; and

(3) the judicial branch surcharge fund is hereby abolished.

Sec. 16. On and after July 1, 2015, K.S.A. 2014 Supp. 28-178 is hereby amended to read as follows: 28-178. (a) In addition to any other fees specifically prescribed by law, on and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose a charge, not to exceed \$12.50 per fee, to fund the costs of non-judicial personnel, on the following:

(1) A person who requests an order or writ of execution pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(2) Persons who request a hearing in aid of execution pursuant to K.S.A. 60-2419, and amendments thereto.

(3) A person requesting an order for garnishment pursuant to article 7 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, or article 35 of chapter 61 of the Kansas Statutes Annotated, and amendments thereto.

(4) Persons who request a writ or order of sale pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(5) A person who requests a hearing in aid of execution pursuant to K.S.A. 61-3604, and amendments thereto.

(6) A person who requests an attachment against the property of a defendant or any one or more of several defendants pursuant to K.S.A. 60-701 or 61-3501, and amendments thereto.

(b) The clerk of the district court shall remit all revenues received from the fees imposed pursuant to subsection (a) to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the judicial branch docket fee fund.

(c) The fees established in this section shall be the only fee collected or moneys in the nature of a fee collected for such court procedures. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

Sec. 17. On and after July 1, 2015, K.S.A. 2014 Supp. 28-179 is hereby amended to read as follows: 28-179. (a) No post-decree motion petitioning for a modification or termination of separate maintenance, for a change in legal custody, residency, visitation rights or parenting time or for a modification of child support shall be filed or docketed in the district court without payment of a docket fee in the amount of \$40 on and after July 1, 2013, to the clerk of the district court.

(b) A poverty affidavit may be filed in lieu of a docket fee as established in K.S.A. 60-2001, and amendments thereto.

(c) The docket fee shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. The docket fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

(d) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 18. On and after July 1, 2015, K.S.A. 2014 Supp. 32-1049a is hereby amended to read as follows: 32-1049a. (a) Failure to comply with a wildlife, parks and tourism citation means failure to:

(1) Appear before any district court in response to a wildlife, parks and tourism citation and pay in full any fine, court costs, assessments or fees imposed;

(2) fully pay or satisfy all fines, court costs, assessments or fees imposed as a part of the sentence of any district court for violation of the wildlife, parks and tourism laws of this state; or

(3) otherwise comply with a wildlife, parks and tourism citation as provided in K.S.A. 32-1049, and amendments thereto.

Failure to comply with a wildlife, parks and tourism citation is a class C misdemeanor, regardless of the disposition of the charge for which such citation, complaint or charge was originally issued.

(b) The term "citation" means any complaint, summons, notice to appear, ticket, warrant, penalty assessment or other official document issued for the prosecution of the wildlife, parks and tourism laws or rules and regulations of this state.

(c) In addition to penalties of law applicable under subsection (a) when a person fails to comply with a wildlife, parks and tourism citation or sentence for a violation of wildlife, parks and tourism laws or rules and regulations, the district court in which the person should have complied shall mail a notice to the person that if the person does not appear in the district court or pay all fines, court costs, assessments or fees, and any penalties imposed within 30 days from the date of mailing, the Kansas department of wildlife, parks and tourism shall be notified to forfeit or suspend any license, permit, stamp or other issue of the department. Upon receipt of a report of a failure to comply with a wildlife, parks and tourism citation under this section, and amendments thereto, the department shall notify the violator and suspend or forfeit the license, permit, stamp or other issue of the department held by the violator until satisfactory evidence of compliance with the wildlife, parks and tourism citation or sentence of the district court for violation of the wildlife, parks and tourism laws or rules and regulations of this state are furnished to the informing court. Upon receipt of notification of such compliance from the informing court, the department shall terminate the suspension action, unless the violator is otherwise suspended.

(d) Except as provided in subsection (e), when the district court notifies the department of a failure to comply with a wildlife, parks and tourism citation or failure to comply with a sentence of the district court imposed on violation of a wildlife, parks and tourism law or rule and regulation, the court shall assess a reinstatement fee of \$50 for each charge or sentence on which the person failed to make satisfaction, regardless of the disposition of the charge for which such citation was originally issued. Such

reinstatement fee shall be in addition to any fine, court costs and other assessments, fees or penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the state general fund.

(e) The district court shall waive the reinstatement fee provided for in subsection (d), if the failure to comply with a wildlife, parks and tourism citation was the result of such person enlisting in or being drafted into the armed services of the United States of America, being called into service as a member of a reserve component of the military service of the United States of America, or volunteering for such active duty or being called into service as a member of the Kansas national guard or volunteering for such active duty and being absent from Kansas because of such military service. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(f) Except as provided further, the reinstatement fee established in subsection (d) shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.

Sec. 19. On and after July 1, 2015, K.S.A. 2014 Supp. 38-2215 is hereby amended to read as follows: 38-2215. (a) *Docket fee.* The docket fee for proceedings under this code, if one is assessed as provided in this section, shall be \$34. Only one docket fee shall be assessed in each case. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Expenses.* The expenses for proceedings under this code, including fees and mileage allowed witnesses and fees and expenses approved by the court for appointed attorneys, shall be paid by the board of county commissioners from the general fund of the county.

(c) *Assessment of docket fee and expenses.* (1) *Docket fee.* The docket fee may be assessed or waived by the court conducting the initial dispositional hearing and the docket fee may be assessed against the complaining witness or person initiating the proceedings or a party or interested party other than the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state, or a person acting in the capacity of an employee of the state or of a political subdivision of the state. Any docket fee received shall be remitted to the state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

(2) *Expenses.* Expenses may be assessed against the complaining witness, a person initiating the proceedings, a party or an interested party, other than the state, a political

subdivision of the state, an agency of the state or of a political subdivision of the state or a person acting in the capacity of an employee of the state or of a political subdivision of the state. When expenses are recovered from a person against whom they have been assessed the general fund of the county shall be reimbursed in the amount of the recovery. If it appears to the court in any proceedings under this code that expenses were unreasonably incurred at the request of any party the court may assess that portion of the expenses against the party.

(d) *Cases in which venue is transferred.* If venue is transferred from one county to another, the court from which the case is transferred shall send to the receiving court a statement of expenses paid from the general fund of the sending county. If the receiving court collects any of the expenses owed in the case, the receiving court shall pay to the sending court an amount proportional to the sending court's share of the total expenses owed to both counties. The expenses of the sending county shall not be an obligation of the receiving county except to the extent that the sending county's proportion of the expenses is collected by the receiving court. All amounts collected shall first be applied toward payment of the docket fee.

Sec. 20. On and after July 1, 2015, K.S.A. 2014 Supp. 38-2312 is hereby amended to read as follows: 38-2312. (a) Except as provided in subsection (b) and (c), any records or files specified in this code concerning a juvenile may be expunged upon application to a judge of the court of the county in which the records or files are maintained. The application for expungement may be made by the juvenile, if 18 years of age or older or, if the juvenile is less than 18 years of age, by the juvenile's parent or next friend.

(b) There shall be no expungement of records or files concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 21-3402, prior to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto, voluntary manslaughter; K.S.A. 21-3404, prior to its repeal, or K.S.A. 2014 Supp. 21-5405, and amendments thereto, involuntary manslaughter; K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or ~~subsection (a)(3) of~~ K.S.A. 2014 Supp. 21-5405(a)(3), and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs; K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto, rape; K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5506(a), and amendments thereto, indecent liberties with a child; K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5506(b), and amendments thereto, aggravated indecent liberties with a child; K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5504(b), and amendments thereto, aggravated criminal sodomy; K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5508(a), and amendments thereto, indecent solicitation of a child; K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5508(b), and amendments thereto, aggravated indecent solicitation of a child; K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto, sexual exploitation of a child; K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5604(b), and amendments thereto, aggravated incest; K.S.A. 21-

3608, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5601(a), and amendments thereto, endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A. 2014 Supp. 21-5602, and amendments thereto, abuse of a child; or which would constitute an attempt to commit a violation of any of the offenses specified in this subsection.

(c) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(d) When a petition for expungement is filed, the court shall set a date for a hearing on the petition and shall give notice thereof to the county or district attorney. The petition shall state: (1) The juvenile's full name; (2) the full name of the juvenile as reflected in the court record, if different than (1); (3) the juvenile's sex and date of birth; (4) the offense for which the juvenile was adjudicated; (5) the date of the trial; and (6) the identity of the trial court. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. On and after July 1, ~~2013~~ 2015, through July 1, ~~2015~~ June 30, 2017, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. All petitions for expungement shall be docketed in the original action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(e) (1) After hearing, the court shall order the expungement of the records and files if the court finds that:

(A) (i) The juvenile has reached 23 years of age or that two years have elapsed since the final discharge; or

(ii) one year has elapsed since the final discharge for an adjudication concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 2014 Supp. 21-6419, and amendments thereto;

(B) since the final discharge of the juvenile, the juvenile has not been convicted of a felony or of a misdemeanor other than a traffic offense or adjudicated as a juvenile offender under the revised Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication; and

(C) the circumstances and behavior of the petitioner warrant expungement.

(2) The court may require that all court costs, fees and restitution shall be paid.

(f) Upon entry of an order expunging records or files, the offense which the records or files concern shall be treated as if it never occurred, except that upon conviction of a crime or adjudication in a subsequent action under this code the offense may be considered in determining the sentence to be imposed. The petitioner, the court and all law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the juvenile. Inspection of the expunged files or records thereafter may be permitted by order of the court upon petition by the person who is the subject thereof. The inspection shall be limited to inspection by the person who is the subject of the files or records and the person's designees.

(g) A certified copy of any order made pursuant to subsection (a) or (d) shall be sent to the Kansas bureau of investigation, which shall notify every juvenile or criminal

justice agency which may possess records or files ordered to be expunged. If the agency fails to comply with the order within a reasonable time after its receipt, such agency may be adjudged in contempt of court and punished accordingly.

(h) The court shall inform any juvenile who has been adjudicated a juvenile offender of the provisions of this section.

(i) Nothing in this section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the juvenile.

(j) Nothing in this section shall be construed to permit or require expungement of files or records related to a child support order registered pursuant to the revised Kansas juvenile justice code.

(k) Whenever the records or files of any adjudication have been expunged under the provisions of this section, the custodian of the records or files of adjudication relating to that offense shall not disclose the existence of such records or files, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (7) the governor or the Kansas racing commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;
- (8) the Kansas sentencing commission; or
- (9) the Kansas bureau of investigation, for the purposes of:
  - (A) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or
  - (B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(l) The provisions of subsection (k)(9) shall apply to all records created prior to, on

and after July 1, 2011.

Sec. 21. On and after July 1, 2015, K.S.A. 2014 Supp. 38-2314 is hereby amended to read as follows: 38-2314. (a) *Docket fee.* The docket fee for proceedings under this code, if one is assessed as provided by this section, shall be \$34. Only one docket fee shall be assessed in each case. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013 2015~~, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Expenses.* The expenses for proceedings under this code, including fees and mileage allowed witnesses and fees and expenses approved by the court for appointed attorneys, shall be paid by the board of county commissioners from the general fund of the county.

(c) *Assessment of docket fee and expenses.* (1) *Docket fee.* The docket fee may be assessed or waived by the court conducting the initial sentencing hearing and may be assessed against the juvenile or the parent of the juvenile. Any docket fee received shall be remitted to the state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

(2) *Expenses.* Expenses may be waived or assessed against the juvenile or a parent of the juvenile. When expenses are recovered from a party against whom they have been assessed the general fund of the county shall be reimbursed in the amount of the recovery.

(3) *Prohibited assessment.* Docket fees or expenses shall not be assessed against the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state or a person acting in the capacity of an employee of the state or of a political subdivision of the state.

(d) *Cases in which venue is transferred.* If venue is transferred from one county to another, the court from which the case is transferred shall send to the receiving court a statement of expenses paid from the general fund of the sending county. If the receiving court collects any of the expenses owed in the case, the receiving court shall pay to the sending court an amount proportional to the sending court's share of the total expenses owed to both counties. The expenses of the sending county shall not be an obligation of the receiving county except to the extent that the sending county's proportionate share of the expenses is collected by the receiving court. Unless otherwise ordered by the court, all amounts collected shall first be applied toward payment of restitution, then toward the payment of the docket fee.

Sec. 22. On and after July 1, 2015, K.S.A. 2014 Supp. 59-104 is hereby amended to read as follows: 59-104. (a) *Docket fee.* (1) Except as otherwise provided by law, no case shall be filed or docketed in the district court under the provisions of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, or of articles 40 and 52 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, without payment of an appropriate docket fee as follows, on and after July 1, 2014:

Treatment of mentally ill.....	\$34.50
Treatment of alcoholism or drug abuse .....	34.50
Determination of descent of property .....	49.50
Termination of life estate .....	48.50



Termination of joint tenancy ..... 48.50  
 Refusal to grant letters of administration ..... 48.50  
 Adoption ..... 48.50  
 Filing a will and affidavit under K.S.A. 59-618a..... 48.50  
 Guardianship ..... 69.50  
 Conservatorship ..... 69.50  
 Trusteeship ..... 69.50  
 Combined guardianship and conservatorship ..... 69.50  
 Certified probate proceedings under K.S.A. 59-213,  
 and amendments thereto ..... 23.50  
 Decrees in probate from another state..... 173.00  
 Probate of an estate or of a will..... 109.50  
 Civil commitment under K.S.A. 59-29a01 et seq. .... 33.50

(2) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Poverty affidavit in lieu of docket fee and exemptions.* The provisions of ~~subsection (b) of~~ K.S.A. 60-2001(b) and K.S.A. 60-2005, and amendments thereto, shall apply to probate docket fees prescribed by this section.

(c) *Disposition of docket fee.* Statutory charges for the law library and for the prosecuting attorneys' training fund shall be paid from the docket fee. The remainder of the docket fee shall be paid to the state treasurer in accordance with K.S.A. 20-362, and amendments thereto.

(d) *Additional court costs.* Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process outside the state, fees for depositions, transcripts and publication of legal notice, executor or administrator fees, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties or estate as directed by the court. No sheriff in this state shall charge any district court in this state a fee or mileage for serving any paper or process.

Sec. 23. K.S.A. 2014 Supp. 60-256 is hereby amended to read as follows: 60-256.

(a) *By a claiming party.* A party claiming relief may move, with or without supporting affidavits or supporting declarations pursuant to K.S.A. 53-601, and amendments thereto, for summary judgment on all or part of the claim.

(b) *By a defending party.* A party against whom relief is sought may move, with or without supporting affidavits or supporting declarations pursuant to K.S.A. 53-601, and amendments thereto, for summary judgment on all or part of the claim.

(c) *Time for a motion; response and reply; proceedings.* (1) These times apply unless a different time is set by local rule or the court orders otherwise:

(A) A party may move for summary judgment at any time until 30 days after the close of all discovery;

(B) a party opposing the motion must file a response within 21 days after the



motion is served or a responsive pleading is due, whichever is later; and

(C) the movant may file a reply within 14 days after the response is served.

(2) The judgment sought should be rendered if the pleadings, the discovery and disclosure materials on file, and any affidavits or declarations show that there is no genuine issue as to any material fact and that the movant is entitled to judgment as a matter of law.

(d) *Case not fully adjudicated on the motion.* (1) *Establishing facts.* If summary judgment is not rendered on the whole action, the court should, to the extent practicable, determine what material facts are not genuinely at issue. The court should so determine by examining the pleadings and evidence before it and by interrogating the attorneys. It should then issue an order specifying what facts, including items of damages or other relief, are not genuinely at issue. The facts so specified must be treated as established in the action.

(2) *Establishing liability.* An interlocutory summary judgment may be rendered on liability alone, even if there is a genuine issue on the amount of damages.

(e) *Affidavits or declarations; further testimony.* (1) *In general.* A supporting or opposing affidavit or declaration must be made on personal knowledge, set out facts that would be admissible in evidence and show that the affiant or declarant is competent to testify on the matters stated. If a paper or part of a paper is referred to in an affidavit or declaration, a sworn or certified copy must be attached to or served with the affidavit or declaration. The court may permit an affidavit or declaration to be supplemented or opposed by depositions, answers to interrogatories or additional affidavits or declarations.

(2) *Opposing party's obligation to respond.* When a motion for summary judgment is properly made and supported, an opposing party may not rely merely on allegations or denials in its own pleading; rather, its response must, by affidavits or by declarations pursuant to K.S.A. 53-601, and amendments thereto, or as otherwise provided in this section, set out specific facts showing a genuine issue for trial. If the opposing party does not so respond, summary judgment should, if appropriate, be entered against that party.

(f) *When affidavits or declarations are unavailable.* If a party opposing the motion shows by affidavit or by declaration pursuant to K.S.A. 53-601, and amendments thereto, that, for specified reasons, it cannot present facts essential to justify its opposition, the court may:

(1) Deny the motion;

(2) order a continuance to enable affidavits or declarations to be obtained, depositions to be taken or other discovery to be undertaken; or

(3) issue any other just order.

(g) *Affidavits or declarations submitted in bad faith.* If satisfied that an affidavit or declaration under this section is submitted in bad faith or solely for delay, the court must order the submitting party or attorney to pay the other party the reasonable expenses, including attorney's fees, it incurred as a result. An offending party or attorney may be held in contempt.

~~(h) Fee for filing a motion for summary judgment. (1) On and after July 1, 2014, any party filing a motion for summary judgment shall pay a fee in the amount of \$195 to the clerk of the district court.~~

~~(2) A poverty affidavit may be filed in lieu of a fee as established in K.S.A. 60-~~

~~2001, and amendments thereto.~~

~~(3) The fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.~~

~~(4) Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.~~

~~(5) The state of Kansas and all municipalities in this state, as defined in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying such fee.~~

~~(6) The provisions of this subsection shall not apply to an action pursuant to the code of civil procedure for limited actions.~~

Sec. 24. On and after July 1, 2015, K.S.A. 2014 Supp. 60-729 is hereby amended to read as follows: 60-729. (a) Garnishment is a procedure whereby the wages, money or intangible property of a person can be seized or attached pursuant to an order of garnishment issued by the court under the conditions set forth in the order.

(b) On and after July 1, 2014, any party requesting an order of garnishment shall pay a fee in the amount of \$7.50 to the clerk of the district court.

(c) A poverty affidavit may be filed in lieu of a fee as established in K.S.A. 60-2001, and amendments thereto.

(d) The fee shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. The fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

(e) Except as provided further, the fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2014 2015~~, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$12.50 per fee, to fund the costs of non-judicial personnel.

(f) The state of Kansas and all municipalities in this state, as defined in K.S.A. 12-105a, and amendments thereto, shall be exempt from paying such fee.

Sec. 25. On and after July 1, 2015, K.S.A. 2014 Supp. 60-2001 is hereby amended to read as follows: 60-2001. (a) *Docket fee*. Except as otherwise provided by law, no case shall be filed or docketed in the district court, whether original or appealed, without payment of a docket fee in the amount of \$173 on and after July 1, 2014, to the clerk of the district court. Except as provided further, the docket fee established in this subsection shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013 2015~~, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Poverty affidavit in lieu of docket fee*. (1) *Effect*. In any case where a plaintiff by reason of poverty is unable to pay a docket fee, and an affidavit so stating is filed, no fee will be required. An inmate in the custody of the secretary of corrections may file a poverty affidavit only if the inmate attaches a statement disclosing the average account balance, or the total deposits, whichever is less, in the inmate's trust fund for each month in: (A) The six-month period preceding the filing of the action; or (B) the current period of incarceration, whichever is shorter. Such statement shall be certified by the secretary. On receipt of the affidavit and attached statement, the court shall determine

the initial fee to be assessed for filing the action and in no event shall the court require an inmate to pay less than \$3. The secretary of corrections is hereby authorized to disburse money from the inmate's account to pay the costs as determined by the court. If the inmate has a zero balance in such inmate's account, the secretary shall debit such account in the amount of \$3 per filing fee as established by the court until money is credited to the account to pay such docket fee. Any initial filing fees assessed pursuant to this subsection shall not prevent the court, pursuant to subsection (d), from taxing that individual for the remainder of the amount required under subsection (a) or this subsection.

(2) *Form of affidavit.* The affidavit provided for in this subsection shall set forth a factual basis upon which the plaintiff alleges by reason of poverty an inability to pay a docket fee, including, but not limited to, the source and amount of the plaintiff's weekly income. Such affidavit shall be signed and sworn to by the plaintiff under oath, before one who has authority to administer the oath, under penalty of perjury, K.S.A. 2014 Supp. 21-5903, and amendments thereto. The form of the affidavit shall be deemed sufficient if in substantial compliance with the form set forth by the judicial council.

(3) *Court review; grounds for dismissal; service of process.* The court shall review any petition authorized for filing under this subsection. Upon such review, if the court finds that the plaintiff's allegation of poverty is untrue, the court shall direct the plaintiff to pay the docket fee or dismiss the petition without prejudice. Notwithstanding K.S.A. 60-301, and amendments thereto, service of process shall not issue unless the court grants leave following its review.

(c) *Disposition of fees.* The docket fees and the fees for service of process shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. For every person to be served by the sheriff, the persons requesting service of process shall provide proper payment to the clerk and the clerk of the district court shall forward the service of process fee to the sheriff in accordance with K.S.A. 28-110, and amendments thereto. The service of process fee, if paid by check or money order, shall be made payable to the sheriff. Such service of process fee shall be submitted by the sheriff at least monthly to the county treasurer for deposit in the county treasury and credited to the county general fund. The docket fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

(d) *Additional court costs.* Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process, fees for depositions, alternative dispute resolution fees, transcripts and publication, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties as directed by the court. No sheriff in this state shall charge any mileage for serving any papers or process.

Sec. 26. On and after July 1, 2015, K.S.A. 2014 Supp. 60-2203a is hereby amended to read as follows: 60-2203a. (a) After the commencement of any action in any district court of this state, or the courts of the United States in the state of Kansas or in any action now pending heretofore commenced in such courts, which does not involve title to real estate, any party to such action may give notice in any other county of the state of the pendency of the action by filing for record with the clerk of the district court of such other county a verified statement setting forth the parties to the action, the nature

of the action, the court in which it is pending, and the relief sought, which shall impart notice of the pendency of the action and shall result in the same lien rights as if the action were pending in that county. The lien shall be effective from the time the statement is filed, but not to exceed four months prior to the entry of judgment except as provided in subsection (c). The party filing such notice shall within 30 days after any satisfaction of the judgment entered in such action, or any other final disposition thereof, cause to be filed with such clerk of the district court a notice that all claims in such action are released. If the party filing fails or neglects to do so after reasonable demand by any party in interest, such party shall be liable in damages in the same amounts and manner as is provided by law for failure of a mortgagee to enter satisfaction of a mortgage. Upon the filing of such a notice of the pendency of an action the clerk shall charge a fee of \$14 and shall enter and index the action in the same manner as for the filing of an original action. Upon the filing of a notice of release, the notice shall likewise be entered on the docket. Except as provided further, the fee established in this subsection shall be the only fee collected or moneys in the nature of a fee collected for the court procedure. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013~~ 2015, through ~~July 1, 2015~~ June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per fee, to fund the costs of non-judicial personnel.

(b) Any notice of the type provided for in subsection (a) which was filed on or after January 10, 1977, and prior to the effective date of this act shall be deemed to impart notice of the pendency of the action in the same manner as if the provisions of subsection (a) were in force and effect on and after January 10, 1977.

(c) Notwithstanding the foregoing provisions of this section, the filing of a notice of the pendency of an action pursuant to subsection (a) shall create no lien rights against the property of an employee of the state or a municipality prior to the date judgment is rendered if the pleadings in the pending action allege a negligent or wrongful act or omission of the employee while acting within the scope of such employee's employment, regardless of whether or not it is alleged in the alternative that the employee was acting outside of such employee's employment. A judgment against an employee shall become a lien upon such employee's property in the county where notice is filed pursuant to subsection (a) when the judgment is rendered only if it is found that: (1) The employee's negligent or wrongful act or omission occurred when the employee was acting outside the scope of such employee's employment; or (2) the employee's conduct which gave rise to the judgment was because of actual fraud or actual malice of the employee. In such cases the lien shall not be effective prior to the date judgment was rendered. As used in this subsection (c), "employee" shall have the meaning ascribed to such term in K.S.A. 75-6102, and amendments thereto.

Sec. 27. On and after July 1, 2015, K.S.A. 2014 Supp. 61-2704 is hereby amended to read as follows: 61-2704. (a) An action seeking the recovery of a small claim shall be considered to have been commenced at the time a person files a written statement of the person's small claim with the clerk of the court if, within 90 days after the small claim is filed, service of process is obtained or the first publication is made for service by publication. Otherwise, the action is deemed commenced at the time of service of process or first publication. An entry of appearance shall have the same effect as service.

(b) Upon the filing of a plaintiff's small claim, the clerk of the court shall require from the plaintiff a docket fee of \$35 on and after July 1, 2014, if the claim does not exceed \$500; or \$55 on and after July 1, 2014, if the claim exceeds \$500; unless for good cause shown the judge waives the fee. The docket fee shall be the only costs required in an action seeking recovery of a small claim. No person may file more than 20 small claims under this act in the same court during any calendar year.

(c) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. ~~On and after July 1, 2013 2015, through July 1, 2015 June 30, 2017,~~ the supreme court may impose an additional charge, not to exceed \$12.50 per docket fee, to fund the costs of non-judicial personnel.

Sec. 28. On and after July 1, 2015, K.S.A. 2014 Supp. 61-4001 is hereby amended to read as follows: 61-4001. (a) Docket fee. (1) No case shall be filed or docketed pursuant to the code of civil procedure for limited actions without the payment of a docket fee in the amount of \$35 on and after July 1, 2013, if the amount in controversy or claimed does not exceed \$500; \$55 on and after July 1, 2013, if the amount in controversy or claimed exceeds \$500 but does not exceed \$5,000; or \$101 on and after July 1, 2013, if the amount in controversy or claimed exceeds \$5,000. If judgment is rendered for the plaintiff, the court also may enter judgment for the plaintiff for the amount of the docket fee paid by the plaintiff.

(2) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013 2015, through July 1, 2015 June 30, 2017,~~ the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel.

(b) Poverty affidavit; additional court costs; exemptions for the state and municipalities. The provisions of ~~subsections (b), (c) and (d) of K.S.A. 60-2001(b), (c) and (d)~~ and 60-2005, and amendments thereto, shall be applicable to lawsuits brought under the code of civil procedure for limited actions.

Sec. 29. On and after July 1, 2015, K.S.A. 2014 Supp. 65-409 is hereby amended to read as follows: 65-409. (a) The clerk of the district court shall charge a fee of \$14 for entering and filing a lien statement under this act.

(b) Except as provided further, the lien fee established in subsection (a) shall be the only fee collected or moneys in the nature of a fee collected for such lien. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2013 2015, through July 1, 2015 June 30, 2017,~~ the supreme court may impose an additional charge, not to exceed \$22 per lien fee, to fund the costs of non-judicial personnel.

Sec. 30. K.S.A. 2014 Supp. 20-362 and 60-256 are hereby repealed.

Sec. 31. On and after July 1, 2015, K.S.A. 2014 Supp. 8-2107, 8-2110, 20-3021, 21-6614, 21-6614e, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 are hereby repealed.";

Also on page 4, in line 38, by striking "statute book" and inserting "Kansas register";  
And by renumbering sections accordingly;

On page 1, in line 1, after "ACT" by inserting "concerning the judicial branch; relating to court fees, docket fees and court costs; relating to dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund;"; also in line 2, after "branch" by inserting "; amending K.S.A. 2014 Supp. 8-2107, 8-2110, 20-362, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-256, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6614e"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2049, SB 290** be passed.

Committee on **Judiciary** recommends **SB 34** be passed.

Committee on **Judiciary** recommends **SB 11** be amended by adoption of the amendments recommended by the House Committee on Judiciary as reported in the Journal of the House on March 23, 2015, and the bill, as printed with amendments by House Committee, be passed as amended.

#### COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Ward to replace Rep. Tietze on Committee on Commerce, Labor and Economic Development on May 5 only.

Also, the appointment of Rep. Curtis to replace Rep. Whipple on Committee on Commerce, Labor and Economic Development on May 5.

Also, the appointment of Rep. Trimmer to replace Rep. Whipple on Committee on Taxation on May 5, 6, 7 and 8 only.

Also, the appointment of Rep. Ruiz to replace Rep. Winn on Committee on Education on May 6 only.

Also, the appointment of Rep. Schwab to replace Rep. W. Carpenter on Committee on Commerce, Labor and Economic Development on May 5 only.

On motion of Rep. Goico, the House recessed until 1:30 p.m..

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2051, HB 2061**.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2051** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the

Whole amendments, as follows:

On page 3, by striking all in lines 25 through 30;

And your committee on conference recommends the adoption of this report.:

GREG SMITH  
 FORREST J. KNOX  
 PAT PETTEY  
*Conferees on part of Senate*

JOHN J. RUBIN  
 RAMON GONZALEZ  
 DENNIS HIGHBERGER  
*Conferees on part of House*

On motion of Rep. Rubin, the conference committee report on **HB 2051** was adopted.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Edmonds, Gonzalez, Houser, Kahrs, Whipple.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2061** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 4, in line 4, after the third comma by inserting "on behalf of watershed districts"; in line 10, after "easements" by inserting "held on behalf of watershed districts"; in line 15, by striking "conservation" and inserting "compensatory mitigation"; in line 17, by striking the first "conservation" and inserting "compensatory mitigation"; in line 18, by striking "conservation" and inserting "compensatory mitigation"; in line 26, by striking "conservation" and inserting "compensatory

mitigation"; in line 35, after "easements" by inserting "on behalf of watershed districts"; in line 37, by striking "conservation" and inserting "compensatory mitigation"; in line 38, after "easements" by inserting "on behalf of watershed districts";

And your committee on conference recommends the adoption of this report.

GARRETT LOVE  
 DAN KERSCHEN  
 MARCI FRANCISCO  
*Conferees on part of Senate*

SHARON SCHWARTZ  
 SUE BOLDRA  
 PONKA-WE VICTORS  
*Conferees on part of House*

On motion of Rep. Schwartz, the conference committee report on **HB 2061** was adopted.

On roll call, the vote was: Yeas 84; Nays 36; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Dierks, Doll, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, KleeB, Kuether, Lane, Lewis, Lusk, Lusker, Mason, McPherson, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Proehl, Read, Rooker, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Sloan, Sutton, Swanson, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barker, Barton, Couture-Lovelady, Campbell, B. Carpenter, Claeys, Davis, DeGraaf, Dove, Esau, Garber, Goico, Highland, Hildabrand, Hoffman, K. Jones, Kelley, Lunn, Macheers, Mast, Merrick, O'Brien, Peck, Powell, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Seiwert, Smith, Suellentrop, Thimesch, Todd, Whitmer.

Present but not voting: None.

Absent or not voting: Edmonds, Gonzalez, Houser, Kahrs, Whipple.

On motion of Rep. Vickrey, the House recessed until 3:00 p.m..

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### MESSAGES FROM THE SENATE

Announcing the Senate here with transmits the veto message from the Governor, together with the enrolled copy of **H Sub for SB 117**, AN ACT regulating traffic; relating to transportation network companies, transportation network company services,



regulation, which was received on April 20, 2015 and read on April 29, 2015.

“While I appreciate the legislature’s hard work on this legislation, I believe this bill is premature. To overregulate or improperly regulate an emerging industry before the marketplace actors make proper arrangements is to invite more problems, not less.

Kansas should be known as a state that embraces economic growth and innovation. The jobs created by this new industry can bring opportunity to many Kansas families. An open and free marketplace often results in higher quality products at a more affordable price.

This will allow companies like Uber to continue and expand operations in Kansas, where they otherwise would not be able to do so.

I applaud the discussions that have taken place nationally between the emerging ride-sharing industry and insurance companies. Similar discussions now need to take place with the banking community, which understandably wants to ensure its financial interests are also protected.

I also applaud the legislature’s interest in protecting the safety of our citizens. I strongly support background checks for ride-sharing drivers. However, the ride-sharing industry believes the background requirement as currently written, weakens rather than strengthens, the level of scrutiny placed on its potential drivers. Therefore, I believe more time, more collaboration, and more discussion will ultimately result in a better public policy product for Kansas. In the meantime, local municipalities will regulate the ride-sharing industry just as they have always done with traditional passenger transportation companies. At this moment in time, they are better equipped to understand the unique and emerging challenges and opportunities the ride-sharing industry brings to their communities.

Though I am vetoing this bill, I am also calling upon ride-sharing companies, insurers, banks and credit unions, to work with our legislature to resolve their differences. These discussions have already begun among Uber and many major insurance companies. The same should begin with banks and credit unions. I look forward to reviewing a new bill that results from these conversations.

Pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **H Sub for SB 117**.”

Dated: April 20, 2015

Signed: SAM BROWNBACK, *Governor of Kansas*

A motion was made that **H Sub for SB 117** be passed notwithstanding the Governor's veto. By vote of 34 Yeas and 5 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative to approve the bill, the bill passed.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Schwab the House proceeded to reconsider **H Sub for SB 117**, AN ACT regulating traffic; relating to transportation network companies, transportation network company services, regulation..

The Governor's objection to **H Sub for SB 117** having been read (see HJ page 702) the question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 96; Nays 25; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bridges, Bruchman, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Clark, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Sloan, Smith, Suellentrop, Swanson, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Williams, Wilson, Winn, Wolfe Moore.

Nays: Boldra, Brunk, Couture-Lovelady, B. Carpenter, Claeys, Clayton, DeGraaf, Goico, Grosserode, Hildabrand, Houser, Huebert, K. Jones, Kelley, Kiegerl, McPherson, Powell, Rhoades, Schroeder, Seiwert, Sutton, Thimesch, Todd, Waymaster, Whitmer.

Present but not voting: None.

Absent or not voting: Gonzalez, Kahrs, Moxley, Whipple.

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail and the bill did pass.

## REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2200** be amended as recommended by House Committee on Commerce, Labor and Economic Development as reported in the Journal of the House on February 25, 2015, and the bill be further amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2200," as follows:

"Substitute for HOUSE BILL NO. 2200

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning the Kansas liquor control act; enacting the county option retailers act; amending K.S.A. 41-103 and 41-711 and K.S.A. 2014 Supp. 41-102, 41-301, 41-303, 41-304, 41-308, 41-308d, 41-310, 41-311, 41-313, 41-326, 41-713 and 79-4108 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2200** was thereupon introduced and read by title.)

Committee on **Energy and Environment** recommends **SB 91** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 91," as follows:

"House Substitute for SENATE BILL NO. 91

By Committee on Energy and Environment

"AN ACT concerning renewable energy; relating to the renewable energy standards act, electric generation standard; relating to property tax; concerning exemptions for property used for renewable energy resources; relating to property tax on public utilities, definitions and exceptions; amending K.S.A. 2014 Supp. 66-1256, 66-1257, 66-1259, 79-201 and 79-5a01 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 66-1258, 66-1260, 66-1261 and 66-1262."; and the substitute bill be passed.

(H Sub for SB 91 was thereupon introduced and read by title.)

**REPORT ON ENROLLED BILLS**

**HB 2013, HB 2044, S Sub for HB 2090, S Sub for HB 2225, HB 2231** reported correctly enrolled, properly signed and presented to the Governor on May 5, 2015.

**REPORT ON ENROLLED RESOLUTIONS**

**HCR 5017** reported correctly enrolled and properly signed on May 5, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, May 6, 2015.

# Journal of the House

FIFTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, May 6, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Reps. Goico, Whipple and Winn were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. John Menkveld, Oakland Church of the Nazarene, Topeka:

Father,

We come before you today as leaders who want to better our community, as leaders who want to make an impact on our community, as leaders who want to do good for our community.

Father,

Give us wisdom, grant us knowledge, fill our minds with understanding as decisions will be made that affect the lives of so many here in our community. Let us always be reminded that it is not about us, but it is about those who we serve.

So Father, give us wisdom and give us discernment as important decisions will be made today.

And we pray for your continued protection over our service members and over the entire community of Topeka. We thank you for all of the wonderful blessings that you have bestowed upon us and upon our families and upon our community. Let us remember through thought and action, those who are less fortunate living within our city. Let our minds be thankful and let our hearts be grateful. We ask all these things in your name, Amen.

The Pledge of Allegiance was led by Rep. Barton.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HCR 5018**.

Taxation: **HB 2428, HB 2429, HB 2430**.

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 241, SB 248, SB 249, SB 250, SB 255.**

Announcing passage of **HB 2005**, as amended; **HB 2233**, as amended; **HB 2268**, as amended; **HB 2395**, as amended.

Announcing passage of **HB 2097, HB 2240, HB 2391.**

Announcing passage of **HB 2095**, as amended by **Senate Substitute for HB 2095.**

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 241, SB 248, SB 249, SB 250, SB 255.**

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

**HOUSE RESOLUTION No. HR 6024—**

By Representatives Barker, Alcalá, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore

**HR 6024—**A RESOLUTION encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

A RESOLUTION designating October 14, 2015, as Eisenhower Day and encouraging the state-wide celebration of Dwight D. Eisenhower's 125<sup>th</sup> birthday.

WHEREAS, Dwight D. Eisenhower, whose hometown and final resting place is Abilene, Kansas, is a pivotal figure in American history and an embodiment of the American Ideal. He served as President of the United States of America from 1953 to 1961; and

WHEREAS, Dwight David Eisenhower, reared in Kansas, was the Supreme Commander who led the Allied Expeditionary Force to Victory in World War II and laid the foundations for postwar America; and

WHEREAS, During his distinguished career as General of the Army and as President, Dwight D. Eisenhower's vision of peace, prosperity and justice in the world, of balance in government, and integrity in personal conduct set a timeless model for leadership; and

WHEREAS, The recognition of Dwight D. Eisenhower's character, values, and

diligent pursuit of a purposeful life can serve as inspiration to the young people of Kansas and to all citizens of Kansas and of the United States; and

WHEREAS, The state of Kansas desires to preserve, honor and champion the relevance today of the life and leadership of Dwight D. Eisenhower and to keep his inspiration and legacy alive; and

WHEREAS, Dwight D. Eisenhower's hometown of Abilene, Kansas, will commemorate his 125<sup>th</sup> birthday with the groundbreaking of a new Eisenhower Elementary School: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That October 14, 2015, is designated Eisenhower Day, commemorating Dwight D. Eisenhower's birthday;

*Be it further resolved:* That the legislature encourages the schools of Kansas to participate in IKE Education programs at the Dwight D. Eisenhower Library, Museum, and Boyhood Home which provide innovative educational opportunities for the young people of Kansas to learn about the life and times of Dwight D. Eisenhower. The legislature further encourages the citizens of Kansas to show support for Dwight D. Eisenhower by visiting the Eisenhower Presidential Center in Abilene, Kansas, purchasing the newly minted "I Like Ike" Kansas license plate, and supporting the campaign to renovate the Eisenhower Presidential Museum in Abilene, Kansas; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative John Barker.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2042**, **S Sub for HB 2043**, **S Sub for HB 2155**, **HB 2165**.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2042** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2042, as follows:

On page 2, in line 26, after the first "representatives" by inserting ", one of whom shall be a member of the house committee on appropriations"; in line 28, before the period by inserting ", one of whom shall be a member of the senate committee on ways and means";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK  
MICHAEL O'DONNELL II  
*Conferees on part of Senate*

DANIEL R. HAWKINS  
SUSAN CONCANNON  
*Conferees on part of House*

On motion of Rep. Hawkins, the conference committee report on **S Sub for HB 2042** was adopted.

On roll call, the vote was: Yeas 90; Nays 31; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeyes, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Pauls, Rooker, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Schwab, Whipple, Winn.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2043** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2043, as follows:

On page 15, by striking all in lines 27 through 43;

By striking all on pages 16 through 24;

On page 25, by striking all in lines 37 through 43;

By striking all on page 26;

On page 27, by striking all in lines 1 through 40;

On page 29, by striking all in lines 8 through 43;

On page 30, by striking all in lines 1 through 3; by striking all in lines 18 through 43;

On page 31, by striking all in lines 1 through 27;

On page 33, by striking all in lines 29 through 43;

By striking all on pages 34 through 36;

On page 37, by striking all in lines 1 through 34; following line 43, by inserting:

"Sec. 10. K.S.A. 2014 Supp. 39-923 is hereby amended to read as follows: 39-923.

(a) As used in this act:

(1) "Adult care home" means any nursing facility, nursing facility for mental health, intermediate care facility for people with intellectual disability, assisted living facility, residential health care facility, home plus, boarding care home and adult day care facility; all of which are classifications of adult care homes and are required to be licensed by the secretary for aging and disability services.

(2) "Nursing facility" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care to compensate for activities of daily living limitations.

(3) "Nursing facility for mental health" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care and special mental health services to compensate for activities of daily living limitations.

(4) "Intermediate care facility for people with intellectual disability" means any place or facility operating 24 hours a day, seven days a week, caring for four or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments caused by intellectual disability or related conditions, need services to compensate for activities of daily living limitations.

(5) "Assisted living facility" means any place or facility caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes apartments for residents and provides or coordinates a range of services including personal care or supervised nursing care available 24 hours a day, seven days a week, for the support of resident independence. The provision of skilled nursing procedures to a resident in an assisted living facility is not prohibited by this act. Generally, the skilled services provided in an assisted living facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(6) "Residential health care facility" means any place or facility, or a contiguous portion of a place or facility, caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes individual living units and provides or coordinates personal care or supervised nursing care available on a 24-hour, seven-days-a-week basis for the support of resident independence. The provision of skilled nursing procedures to a resident in a residential health care facility is not prohibited by this act. Generally, the skilled services provided in a residential health care facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(7) "Home plus" means any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage unless the resident in need of care is approved for placement by the secretary for children and families, and who, due to functional impairment, needs personal care and may need supervised nursing care to compensate for activities of daily living limitations. The level of care provided to residents shall be determined by preparation of the staff and rules and regulations developed by the Kansas department for aging and disability services. An adult care home may convert a portion of one wing



of the facility to a not less than five-bed and not more than 12-bed home plus facility provided that the home plus facility remains separate from the adult care home, and each facility must remain contiguous. Any home plus that provides care for more than eight individuals after the effective date of this act shall adjust staffing personnel and resources as necessary to meet residents' needs in order to maintain the current level of nursing care standards. Personnel of any home plus who provide services for residents with dementia shall be required to take annual dementia care training.

(8) "Boarding care home" means any place or facility operating 24 hours a day, seven days a week, caring for not more than 10 individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of activities of daily living but who are ambulatory and essentially capable of managing their own care and affairs.

(9) "Adult day care" means any place or facility operating less than 24 hours a day caring for individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of or assistance with activities of daily living.

(10) "Place or facility" means a building or any one or more complete floors of a building, or any one or more complete wings of a building, or any one or more complete wings and one or more complete floors of a building, and the term "place or facility" may include multiple buildings.

(11) "Skilled nursing care" means services performed by or under the immediate supervision of a registered professional nurse and additional licensed nursing personnel. Skilled nursing includes administration of medications and treatments as prescribed by a licensed physician or dentist; and other nursing functions which require substantial nursing judgment and skill based on the knowledge and application of scientific principles.

(12) "Supervised nursing care" means services provided by or under the guidance of a licensed nurse with initial direction for nursing procedures and periodic inspection of the actual act of accomplishing the procedures; administration of medications and treatments as prescribed by a licensed physician or dentist and assistance of residents with the performance of activities of daily living.

(13) "Resident" means all individuals kept, cared for, treated, boarded or otherwise accommodated in any adult care home.

(14) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, and the legal successor thereof.

(15) "Operate an adult care home" means to own, lease, establish, maintain, conduct the affairs of or manage an adult care home, except that for the purposes of this definition the word "own" and the word "lease" shall not include hospital districts, cities and counties which hold title to an adult care home purchased or constructed through the sale of bonds.

(16) "Licensing agency" means the secretary for aging and disability services.

(17) "Skilled nursing home" means a nursing facility.

(18) "Intermediate nursing care home" means a nursing facility.

(19) "Apartment" means a private unit which includes, but is not limited to, a toilet room with bathing facilities, a kitchen, sleeping, living and storage area and a lockable door.

(20) "Individual living unit" means a private unit which includes, but is not limited

to, a toilet room with bathing facilities, sleeping, living and storage area and a lockable door.

(21) "Operator" means an individual registered pursuant to the operator registration act, K.S.A. 2014 Supp. 39-973 et seq., and amendments thereto, who may be appointed by a licensee to have the authority and responsibility to oversee an assisted living facility or residential health care facility with fewer than 61 residents, a home plus or adult day care facility.

(22) "Activities of daily living" means those personal, functional activities required by an individual for continued well-being, including, but not limited to, eating, nutrition, dressing, personal hygiene, mobility and toileting.

(23) "Personal care" means care provided by staff to assist an individual with, or to perform activities of daily living.

(24) "Functional impairment" means an individual has experienced a decline in physical, mental and psychosocial well-being and as a result, is unable to compensate for the effects of the decline.

(25) "Kitchen" means a food preparation area that includes a sink, refrigerator and a microwave oven or stove.

(26) The term "intermediate personal care home" for purposes of those individuals applying for or receiving veterans' benefits means residential health care facility.

(27) "Paid nutrition assistant" means an individual who is paid to feed residents of an adult care home, or who is used under an arrangement with another agency or organization, who is trained by a person meeting nurse aide instructor qualifications as prescribed by 42 C.F.R. § 483.152, 42 C.F.R. § 483.160 and ~~paragraph (h) of 42 C.F.R. § 483.35(h)~~, and who provides such assistance under the supervision of a registered professional or licensed practical nurse.

(28) "Medicaid program" means the Kansas program of medical assistance for which federal or state moneys, or any combination thereof, are expended, or any successor federal or state, or both, health insurance program or waiver granted thereunder.

(29) "Licensee" means any person or persons acting jointly or severally who are licensed by the secretary for aging and disability services pursuant to the adult care home licensure act, K.S.A. 39-923 et seq., and amendments thereto.

(b) The term "adult care home" shall not include institutions operated by federal or state governments, except institutions operated by the director of the Kansas commission on veterans affairs office, hospitals or institutions for the treatment and care of psychiatric patients, child care facilities, maternity centers, hotels, offices of physicians or hospices which are certified to participate in the medicare program under 42 code of federal regulations, chapter IV, ~~section § 418.1 et seq.~~, and amendments thereto, and which provide services only to hospice patients, or centers approved by the centers for medicare and medicaid services as a program for all-inclusive care for the elderly (PACE) under 42 code of federal regulations, chapter IV, part 460 et seq., and amendments thereto, which provides services only to PACE participants.

(c) Nursing facilities in existence on the effective date of this act changing licensure categories to become residential health care facilities shall be required to provide private bathing facilities in a minimum of 20% of the individual living units.

(d) Facilities licensed under the adult care home licensure act on the day immediately preceding the effective date of this act shall continue to be licensed

facilities until the annual renewal date of such license and may renew such license in the appropriate licensure category under the adult care home licensure act subject to the payment of fees and other conditions and limitations of such act.

(e) Nursing facilities with less than 60 beds converting a portion of the facility to residential health care shall have the option of licensing for residential health care for less than six individuals but not less than 10% of the total bed count within a contiguous portion of the facility.

(f) The licensing agency may by rule and regulation change the name of the different classes of homes when necessary to avoid confusion in terminology and the agency may further amend, substitute, change and in a manner consistent with the definitions established in this section, further define and identify the specific acts and services which shall fall within the respective categories of facilities so long as the above categories for adult care homes are used as guidelines to define and identify the specific acts.";

On page 38, in line 1, by striking ", 75-5309, 75-5364, 76-157, 76-158"; in line 2, by striking all after "8-1025,"; in line 3, by striking "38-2212, 39-1702, 40-4702" and inserting "39-923"; also in line 3, by striking "65-689; also in line 3, by striking "75-7d01, 75-"; in line 4, by striking all before "are" and inserting "75-53,105 and 75-6524";

Also on page 38, in line 6, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "secretaries for children and families and" and inserting "secretary"; in line 2, by striking the colon and inserting "; relating to programs for all-inclusive care for the elderly"; in line 3, by striking ", 75-5309, 75-5364, 76-157, 76-158"; in line 4, by striking all after "8-1025,"; in line 5, by striking "1702, 40-4702" and inserting "39-923,"; also in line 5, by striking 65-689," also in line 5, by striking all after "65-6233,"; in line 6, by striking all before the second "and" and inserting "75-53,105 and 75-6524";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK  
MICHAEL O'DONNELL II  
LAURA KELLY

*Conferees on part of Senate*

DANIEL R. HAWKINS  
SUSAN CONCANNON  
JIM WARD

*Conferees on part of House*

On motion of Rep. Hawkins, the conference committee report on **S Sub for HB 2043** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch,

Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Whipple, Winn.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2165** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 2, in line 4, by striking "\$2,500" and inserting "\$15,000"; following line 6, by inserting:

"Sec. 4. K.S.A. 2014 Supp. 12-520 is hereby amended to read as follows: 12-520.

(a) Except as hereinafter provided, the governing body of any city, by ordinance, may annex land to such city if any one or more of the following conditions exist:

(1) The land is platted, and some part of the land adjoins the city.

(2) The land adjoins the city and is owned by or held in trust for the city or any agency thereof.

(3) The land adjoins the city and is owned by or held in trust for any governmental unit other than another city except that no city may annex land owned by a county without the express permission of the board of county commissioners of the county other than as provided in subsection (f).

(4) The land lies within or mainly within the city and has a common perimeter with the city boundary line of more than 50%.

(5) The land if annexed will make the city boundary line straight or harmonious and some part thereof adjoins the city, except no land in excess of 21 acres shall be annexed for this purpose.

(6) The tract is so situated that  $\frac{2}{3}$  of any boundary line adjoins the city, except no tract in excess of 21 acres shall be annexed under this condition.

(7) The land adjoins the city and a written petition for or consent to annexation is filed with the city by the owner.

(b) No portion of any unplatted tract of land devoted to agricultural use of 21 acres or more shall be annexed by any city under the authority of this section without the written consent of the owner thereof.

(c) No city may annex, pursuant to this section, any improvement district incorporated and organized pursuant to K.S.A 19-2753 et seq., and amendments thereto,

or any land within such improvement district. The provisions of this subsection shall apply to such improvement districts for which the petition for incorporation and organization was presented on or before January 1, 1987.

(d) Subject to the provisions of this section and ~~subsection (e)~~ of K.S.A. 12-520a(e), and amendments thereto, a city may annex, pursuant to this section, any fire district or any land within such fire district.

~~(e) Whenever any city annexes any land under the authority of paragraph 2 of subsection (a) which does not adjoin the city, tracts of land adjoining the land so annexed shall not be deemed to be adjoining the city for the purpose of annexation under the authority of this section until the adjoining land or the land so annexed adjoins the remainder of the city by reason of the annexation of the intervening territory.~~

~~(f)~~ No city may annex the right-of-way of any highway under the authority of this section unless at the time of the annexation the abutting property upon one or both sides thereof is already within the city or is annexed to the city in the same proceeding. The board of county commissioners may notify the city of the existence of the right-of-way of any highway which has not become part of the city by annexation and which has a common boundary with the city. The notification shall include a legal description and a map identifying the location of the highway. The governing body of the city shall certify by ordinance that the certification is correct and declare the highway, or portion of the highway extending to the center line where another city boundary line abuts the opposing side of the highway, annexed to the city as of the date of the publication of the ordinance.

~~(g)~~ (f) The governing body of any city by one ordinance may annex one or more separate tracts or lands each of which conforms to any one or more of the foregoing conditions. The invalidity of the annexation of any tract or land in one ordinance shall not affect the validity of the remaining tracts or lands which are annexed by the ordinance and which conform to any one or more of the foregoing conditions.

~~(h)~~ (g) No city may utilize any provision of this section to annex a narrow corridor of land to gain access to noncontiguous tracts of land. The corridor of land must have a tangible value and purpose other than for enhancing future annexations of land by the city.

(h) No land shall be annexed pursuant to subsections (a)(1), (4), (5) and (6) without express consent of the board of county commissioners by resolution adopted within 30 days following the conclusion of the hearing on the proposed annexation as required by K.S.A. 12-520a, and amendments thereto.

Sec. 5. K.S.A. 12-520c is hereby amended to read as follows: 12-520c. (a) The governing body of any city may by ordinance annex land not adjoining the city if the following conditions exist:

- (1) The land is located within the same county as ~~such the~~ city;
- (2) the owner or owners of the land petition for or consent in writing to the annexation of ~~such the~~ land; and
- (3) the board of county commissioners of the county, by a  $\frac{2}{3}$  vote of the members thereof, find and determine that the annexation of ~~such the~~ land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within ~~such the~~ county.

(b) No land adjoining any land annexed by any city under the provisions of this section shall be deemed to be adjoining the city for the purpose of annexation under any

other act or section of this act until ~~such the~~ adjoining land or the land annexed under this section shall adjoin the remainder of the city by reason of the annexation of the intervening territory.

(c) Whenever the governing body of any city deems it advisable to annex land under the provisions of this section ~~such the~~ governing body shall by resolution request the board of county commissioners of the county to make a finding as required under subsection (a)(3) ~~of this section~~. The city clerk shall file a certified copy of ~~such the~~ resolution with the board of county commissioners who shall, within ~~thirty (30) 30~~ days following the receipt ~~thereof of the resolution~~, make findings and notify the governing body of the city ~~thereof of the board's decision~~. ~~Such findings shall be spread at length upon the journal of proceedings of said board. The failure of such board to spread such findings upon the journal shall not invalidate the same.~~

Any owner or city aggrieved by the decision of the board of county commissioners may appeal from the decision of such board to the district court of the ~~same~~ county in the manner and method set forth in K.S.A. 19-223, and amendments thereto. Any city so appealing shall not be required to execute the bond prescribed therein.";

Also on page 2, in line 7, after "K.S.A." by inserting "12-520c,"; also in line 7, after "19-27a19" by inserting "and K.S.A. 2014 Supp. 12-520";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "municipalities,"; in line 2, by striking all before "amending"; also in line 2, after "K.S.A." by inserting "12-520c,"; in line 3, after "27a19" by inserting "and K.S.A. 2014 Supp. 12-520";

And your committee on conference recommends the adoption of this report.

DENNIS D. PYLE

STEVE FITZGERALD

OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

STEVE HUEBERT

TOM PHILLIPS

JOHN ALCALA

*Conferees on part of House*

On motion of Rep. Huebert to adopt the conference committee report on **HB 2165**, Rep. Schroeder offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. Rep. Schroeder subsequently withdrew his motion. The question reverted back to the original motion of Rep. Huebert to adopt the conference committee report, which did not prevail.

On roll call, the vote was: Yeas 57; Nays 65; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Anthimides, Barker, Barton, Bradford, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Corbet, DeGraaf, Dove, Edmonds, Esau, Ewy, Garber, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutton, D. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lane, Lunn, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Powell, Read, Rhoades, Ryckman, Scapa, Schwartz, Seiwert, Smith, Suellentrop, Thimesch, Todd, Trimmer, Vickrey, Whitmer, Williams.

Nays: Alford, Ballard, Becker, Billinger, Boldra, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Hutchins, Jennings, Johnson, K. Jones, Kelly, Kuether, Lewis, Lusk, Moxley, Ousley, Patton, Pauls, Phillips, Proehl, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Sloan, Sutton, Swanson, Thompson, Tietze, Victors, Ward, Waymaster, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Whipple, Winn.

### **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2005**, **HB 2233**, **HB 2268**.

### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Ryckman, the House nonconcurred in Senate amendments to **HB 2005** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Barker and Henry as conferees on the part of the House.

On motion of Rep. Brunk, the House nonconcurred in Senate amendments to **HB 2268** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Brunk, Couture-Lovelady and Tietze as conferees on the part of the House.

On motion of Rep. Hedke, the House nonconcurred in Senate amendments to **HB 2233** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Hedke, Corbet and Kuether as conferees on the part of the House.

### **CHANGE OF CONFEREES**

Speaker pro tem Mast announced the appointment of Rep. Rubin as a member of the conference committee on **S Sub for Sub HB 2170** to replace Rep. Dove.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2431**, AN ACT concerning personal property taxation; relating to motor vehicles; computation of amount of tax; state school district ad valorem tax levy; amending K.S.A. 79-5105 and repealing the existing section, by Committee on Taxation.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Rep. Carmichael to replace

Rep. Alcalá on Committee on Pensions and Benefits on May 6 only.

Also, the appointment of Rep. Houston to replace Rep. Trimmer on Committee on Taxation on May 6 at 1:30 p.m. only. Rep. Trimmer had been appointed to replace Rep. Whipple.

**REPORT ON ENGROSSED BILLS**

**HB 2051, HB 2061** reported correctly engrossed May 5, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, May 7, 2015.



# Journal of the House

## SIXTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, May 7, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Reps. Anthimedes, Kelley, Sloan, Whipple and Winn were excused on excused absence by the Speaker.

Reps. Alcala and Goico were excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for this day You have given us.  
On this National Day of Prayer,  
we recognize that You are the giver of life  
and the source of our freedom.  
We are reminded that Yours is  
“the earth in its fullness;  
the world and those who dwell in it.”  
It is from Your hand that we have received  
all that we are, all we have, and all we will be.  
We understand that You call us to be stewards  
of Your blessings,  
the caretakers of all you have entrusted to us.  
Help us to use your gifts wisely—  
teach us to share them generously.  
May our faithful stewardship bear witness  
to the love of Your Son in our lives.  
This I pray in Christ’s Name,  
Amen.

The Pledge of Allegiance was led by Rep. Williams.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2432**, AN ACT concerning hazardous waste; relating to fees and taxes for the thermal treatment of hazardous waste for energy recovery; powers and duties of the

secretary of health and environment, by Committee on Taxation.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 241, SB 248, SB 249, SB 250.**

Judiciary: **SB 255.**

Taxation: **HB 2431.**

### CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2319** from Committee on Taxation and referral to Committee on Appropriations.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Davis, **HR 6025**, by Reps. Davis, Bruchman, Campbell, Lunn, Ryckman and Schwab, as follows, was introduced and adopted:

**HR 6025**—A RESOLUTION congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

A RESOLUTION congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

WHEREAS, on April 18-20, 2015, the Olathe Public Schools ProStart Culinary Team, representing the entire State of Kansas, took first place among 48 teams from throughout the United States, as well as Japan and Germany, winning its third national championship at the 14<sup>th</sup> Annual ProStart Invitational in Anaheim, California; and

WHEREAS, ProStart is a nationwide program that unites the classroom and hospitality industry to develop the best and brightest talent into tomorrow's restaurant and hospitality industry leaders. The ProStart program is a two-year high school course currently offered at 30 Kansas schools. Students who pass two exams, demonstrate a mastery of foundational skills, and complete 400 hours of mentored work experience earn an industry-recognized certificate which can lead to scholarships and credits at more than 60 colleges and universities across the country; and

WHEREAS, the National ProStart Invitational is the country's premier high school competition focused on culinary arts and restaurant management. Teams must win their respective state competitions in order to move on to the national finals, where, after having invested more than 700 hours of practice, they are required to prepare a three-course meal in 60 minutes, using two butane burners and without access to running water or electricity. Teams are then judged based on creative abilities, skill, teamwork, safety, sanitation, and taste of the food; and

WHEREAS, The team's winning menu included: An appetizer consisting of spice-encrusted George's Bank scallops, avocado mosaic, citrus mango relish, tomato gremolata, mango reduction, and crisp microgreen salad; an entrée consisting of pignoli-encrusted pork tenderloin, rich veal reduction, vegetable bouquetiere, vanilla infused sunchoke puree, truffled spinach salad, and buttered potato croquette; and a dessert consisting of coconut chocolate Bavarian, spherical white chocolate orange

Bavarian, cashew crumb, raspberry coulis, and sugar-dipped cashew and vanilla tuile; and

WHEREAS, The team consisted of: Melinda Hrdy, team lead, senior, Olathe South High School; Michael Miller, senior, Olathe South High School; Ashleigh Hagen, junior, Olathe North High School; Haneen Ibrahim, senior, Blue Valley North High School; and Rachel Cormeny, senior, Olathe East High School; and

WHEREAS, For winning first place, each team member received a \$5,000 scholarship from the National Restaurant Association Educational Foundation and Coca-Cola, as well as a \$1,000 scholarship from the Burger King McLamore Foundation that can be used to further their education in the restaurant and food service industry. The team members plan to continue their education after high school. Melinda Hrdy and Haneen Ibrahim plan to attend the New England Culinary Institute; Michael Miller plans to attend Le Cordon Bleu College of Culinary Arts in Seattle; Rachel Cormeny plans to attend Johnson and Wales University in Denver; and Ashleigh Hagen plans to attend the Culinary Institute of America; and

WHEREAS, The first place Olathe Public Schools ProStart Culinary Team was led by Chef Mike Chrostowski, who is in his 10<sup>th</sup> year of teaching. Chef Mike encourages students to develop a passion for the industry, helps them find success in the industry, pushes them to achieve greatness, and helps them achieve goals that were once thought unattainable. Under Chef Mike's mentoring and assistance from Chef Philip Shaw, the Olathe Culinary Program has qualified for the national competition 10 years in a row and is the only team to stand on the podium as a top four finisher the last seven consecutive years. Chef Mike's passion and expertise have helped to make the culinary arts program at Olathe North High School one of the best examples of industry standards being integrated into a high school career technical education program: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend the Olathe Public Schools ProStart Culinary Team for taking first place at the 14<sup>th</sup> Annual National ProStart Invitational in Anaheim, California, thereby serving as an example and a model to high schools across the United States for its dedication and excellence; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Erin Davis.

There being no objection, the following remarks of Rep. Davis are spread upon the Journal:

This morning we would like to recognize and congratulate the Olathe Public Schools ProStart Culinary Team on winning its third national championship at the 14<sup>th</sup> Annual ProStart Invitational in Anaheim, California.

The ProStart invitational is the country's premier high school competition, which focuses on culinary arts and restaurant management. To qualify for the national competition, teams must first win their respective state competitions. At the national competition, teams are required to prepare a three-course meal in 60 minutes, using only two butane burners and have no access to running water or electricity. Teams are then judged on their creative abilities, skill, teamwork, safety, sanitation and taste of food. Achieving the highest honor of ProStart champion, teams must invest hundreds of

hours of practice, unwavering determination and a high level of skill.

This winning team is led by Chef Mike Chrostowski. Before coming to head the Olathe School District's 21<sup>st</sup> Century Culinary Program, Chef Mike managed some of the best restaurants in Kansas City as well as in Texas. This year marks Chef Mike's 10<sup>th</sup> year of teaching. His teaching career is riddled with many accomplishments, including receiving the 2014 National Cutting Edge award from The American Culinary Association. This year, Chef Mike was awarded with the Taste of Elegance award which was sponsored by the Missouri and Kansas Pork Association.

This is the 10<sup>th</sup> year in a row the Olathe Culinary Program has qualified for ProSmart Nationals, making this the only Program in the nation that has achieved this success. Team members for this year's winning team are:

Melinda Hrdy, Olathe (New England Culinary Institute)  
 Haneen Ibrahim, Leawood (Le Cordon Blue Seattle)  
 Michael Miller, Olathe (Johnson and Wales in Denver)  
 Rachel Cormeny, Olathe (New England Culinary Institute)  
 Ashleigh Hagen, Olathe (Culinary Institute of America)

Melinda Hrdy and Rachel Cormeny have the distinction of this being their second time to represent Olathe Culinary Program at the National ProStart Invitational where in 2014 both students placed 2<sup>nd</sup>.

Please join with us and congratulate Chef Mike and these students on their tremendous success and their winning the 2015 National ProStart Invitational.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2155** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as with Senate Committee of the Whole amendments (Corrected), as follows:

On page 7, in line 1, by striking all after "officials"; in line 2, by striking all before the colon;

On page 8, in line 28, by striking "calendar" and inserting "fiscal";

On page 12, in line 9, by striking "calendar" and inserting "fiscal";

On page 14, in line 22, by striking "calendar" and inserting "fiscal";

On page 26, by striking all in lines 15 through 43;

By striking all on pages 27 through 29;

On page 30, by striking all in lines 1 through 19;

On page 32, following line 5, by inserting:

"Sec. 23. K.S.A. 74-8720 is hereby amended to read as follows: 74-8720. (a) As nearly as practical, an amount equal to not less than 45% of the total sales of lottery tickets or shares, computed on an annual basis, shall be allocated for payment of lottery prizes.

(b) The prize to be paid or awarded for each winning ticket or share shall be paid to one natural person who is adjudged by the executive director, the director's designee or the retailer paying the prize, to be the holder of such winning ticket or share, or the person designated in writing by the holder of the winning ticket or share on a form satisfactory to the executive director, except that the prize of a deceased winner shall be

paid to the duly appointed representative of the estate of such winner or to such other person or persons appearing to be legally entitled thereto.

(c) The executive director shall award the designated prize to the holder of the ticket or share upon the validation of a claim or confirmation of a winning share. The executive director shall have the authority to make payment for prizes by any means deemed appropriate upon the validation of winning tickets or shares.

(d) The right of a person to a prize drawn or awarded is not assignable.

(e) No person under 18 years of age shall be eligible to claim a lottery prize.

~~(e)~~ (f) All prizes awarded shall be taxed as Kansas source income and shall be subject to all state and federal income tax laws and rules and regulations. State income taxes shall be withheld from prizes paid whenever federal income taxes are required to be withheld under current federal law.

~~(f)~~ (g) Unclaimed prize money not payable directly by lottery retailers shall be retained for the period established by rules and regulations and if no claim is made within such period, then such unclaimed prize money shall be added to the prize pools of subsequent lottery games.

~~(g)~~ (h) The state of Kansas, members of the commission and employees of the Kansas lottery shall be discharged of all further liability upon payment of a prize pursuant to this section.

~~(h)~~ (i) The Kansas lottery shall not publicly disclose the identity of any person awarded a prize except upon written authorization of such person.";

Also on page 32, in line 6, after "74-8718" by inserting ", 74-8720"; in line 7, by striking ", 74-8702";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and" and inserting a comma; also in line 3, after "74-8718" by inserting "and 74-8720"; in line 4, by striking ", 74-8702";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

JAKE LATURNER

OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

STEVEN R. BRUNK

TRAVIS COUTURE-LOVELADY

ANNIE TIETZE

*Conferees on part of House*

On motion of Rep. Brunk, the conference committee report on **HB 2155** was adopted.

On roll call, the vote was: Yeas 98; Nays 21; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton,

Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Barton, Bridges, Carmichael, DeGraaf, Finney, Garber, Highberger, Houston, K. Jones, Kahrs, Macheers, Ousley, Peck, Powell, Rhoades, Sawyer, Scapa, Schroeder, Victors, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Kelley, Sloan, Whipple, Winn.

### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub HB 2224, H Sub for SB 12, H Sub for SB 112, HB 2049, SB 290, H Sub for SB 91, SB 276, SB 105, SB 14, HB 2365, SB 34.**

On motion of Rep. Vickrey, the House recessed until 1:45 p.m.

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### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

### INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Schwab moved that the House reconsider its adverse action in not adopting the conference committee report on **HB 2165** (see HJ, page 714).

The motion did not prevail.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted: Recommended that **SB 290, SB 276, SB 105, SB 14** be passed.

Committee report recommending a substitute bill to **Sub HB 2224** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 12** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 112** be adopted; and the substitute bill be passed.

On motion of Rep. Sutton to amend **HB 2049**, Rep. Rubin requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Wilson to amend **HB 2049**, Rep. Rubin requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment

germane.

The question reverted back to the motion of Rep. Wilson to amend **HB 2049** on page 1, following line 5, by inserting:

"Section 1. The provisions of sections 1 through 11, and amendments thereto, shall be known and may be cited as Otis's law.

Sec. 2. As used in sections 1 through 11, and amendments thereto, unless the context requires otherwise:

(a) "Cannabis" means all parts of all varieties of the plant *cannabis sativa* L. not exceeding 3% tetrahydrocannabinol by weight.

(b) "Cardholder" means a patient or a designated caregiver to whom the department has issued a hemp preparation registration card or who has documentation that is deemed to be a hemp preparation registration card.

(c) "Designated caregiver" means a person who:

(1) Is either at least 21 years of age or a parent of a patient;

(2) has significant responsibility for managing the well-being of a patient; and

(3) has been approved by the department to assist a patient in obtaining hemp preparations.

(d) "Department" means the department of health and environment.

(e) "Hemp preparation" means:

(1) Cannabis plant material that is no more than 3% tetrahydrocannabinol by weight; or

(2) an extract, mixture or preparation containing cannabis plant material that is no more than 3% tetrahydrocannabinol by weight.

(f) "Hemp preparation center agent" means an owner, officer, board member, employee, volunteer, contractor, property owner or landlord of a registered hemp preparation center.

(g) "Medical hemp establishment" means a registered hemp preparation center or a registered hemp testing laboratory.

(h) "Medical use" includes the acquisition, administration, delivery, possession, purchase, transfer, transportation or use of hemp preparations and paraphernalia relating to the administration of hemp preparations to treat or alleviate a patient cardholder's qualifying medical condition.

(i) "Parent" means a parent or legal guardian responsible for the medical care of a patient under the age of 18.

(j) "Patient" means an individual who has been diagnosed with a qualifying medical condition.

(k) "Physician" means a person who is licensed by the state board of healing arts to practice medicine and surgery.

(l) "Qualifying medical condition" means a condition causing seizures, including those characteristic of epilepsy.

(m) "Registered hemp preparation center" means an entity registered pursuant to section 9, and amendments thereto, that acquires, possesses, cultivates, transports and manufactures cannabis, hemp preparations and related paraphernalia and transfers, transports, sells, supplies or dispenses hemp preparations, paraphernalia related to hemp preparations and related supplies and educational materials to cardholders, visiting cardholders and other registered hemp preparation centers.

(n) "Registered testing laboratory" means an entity registered pursuant to section 9,

and amendments thereto, to analyze the safety and potency of hemp.

(o) "Registration card" means a card issued by the department pursuant to section 3, and amendments thereto.

(p) "Testing laboratory agent" means an owner, officer, board member, employee, volunteer, contractor, property owner or landlord of a registered testing laboratory.

(q) "Written certification" means a document signed and dated by a physician stating that, in the physician's professional opinion, the patient may receive therapeutic or palliative benefit from the medical use of hemp preparations to treat or alleviate the patient's qualifying medical condition or symptoms associated with such patient's qualifying medical condition.

(r) "Visiting cardholder" means a person who:

(1) Has been diagnosed with a qualifying medical condition or is the parent, child, sibling, spouse, domestic partner, grandparent, grandchild or personal aide of an individual who has been diagnosed with a qualifying medical condition;

(2) possesses a valid registration card, its equivalent or other documentation that allows the person to possess hemp preparations in another jurisdiction pursuant to the laws of the other state, district, territory, commonwealth, insular possession of the United States or country recognized by the United States;

(3) is not a resident of Kansas or has been a resident of Kansas for less than 30 days; and

(4) has submitted any required documentation with the department, if the department has required registration.

Sec. 3. (a) The department shall issue a hemp preparation registration card to each individual who is over the age of 18 who:

(1) Provides the department with a written certification signed by a physician that was issued within 90 days immediately preceding the date of an application;

(2) pays the department a fee in an amount established by the department pursuant to section 5, and amendments thereto; and

(3) submits an application or renewal to the department on a form created by the department that contains:

(A) The individual's name and address;

(B) a copy of the individual's valid photo identification; and

(C) any other information the department reasonably considers necessary to implement the provisions of this section.

(b) The department shall issue a hemp preparation registration card to each individual who is under the age of 18 whose parent:

(1) Submits the information required of patients over the age of 18 according to subsection (a); and

(2) agrees to serve as a designated caregiver for the patient.

(c) Except as provided in subsection (d), the department shall issue a hemp preparation registration card to each designated caregiver applicant who:

(1) Is designated in a patient's application; and

(2) submits an application to the department on a form created by the department that contains:

(A) The applicant's name and address;

(B) the patient's name;

(C) a copy of the designated caregiver's valid photo identification; and



(D) any other information the department reasonably considers necessary to implement the provisions of this section.

(d) A patient may designate only one caregiver at any given time unless the patient or such patient's parent submits documentation demonstrating that a greater number of designated caregivers are needed due to the patient's age or medical condition.

(e) The department shall, not later than 30 calendar days after the date of the receipt of the completed application materials, approve the application and issue to the applicant a registration card with a unique, random identification number.

(f) Until the department issues, renews or denies a registration card, a copy of the individual's application, a copy of the patient's written certification and proof that the application was submitted to the department shall be deemed a registration card.

(g) Until the department makes applications available, a valid, written certification issued within the previous year shall be deemed a registration card for a patient.

(h) Until the department makes applications available, the following shall be deemed a designated caregiver registration card:

(1) A copy of a patient's valid written certification issued within the previous year; and

(2) a signed affidavit attesting that the person has significant responsibility for managing the well-being of the patient and that the person has been chosen to assist a patient in obtaining hemp preparations.

(i) Except as provided in this subsection, the expiration date of a registration card shall be one year after the date of issuance. If a physician states in the written certification that a patient would benefit from hemp preparations until a specified earlier date, then the registration card shall expire on that date.

Sec. 4. (a) The department shall maintain a confidential list of all cardholders and each cardholder's address and registry identification number. This confidential list shall not be combined or linked in any manner with any other list or database, nor shall it be used for any purpose not provided for in sections 1 through 11, and amendments thereto.

(b) The department shall treat written certifications, applications, renewals, supporting information, the names of applicants, cardholders, visiting cardholders and physicians and related records as protected health information under the health insurance portability and accountability act of 1996 (public law 104-191), exempt from disclosure under the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto, and not subject to disclosure to any individual or public or private entity, except as provided in this section.

(c) Nothing in this section shall preclude the following:

(1) Authorized employees of the department accessing the information to perform official duties pursuant to this act;

(2) department employees notifying state or local law enforcement about falsified or fraudulent information submitted to the department or of other apparent criminal violations of this act;

(3) department employees notifying the state board of healing arts if the department has reasonable suspicion to believe a physician violated the standard of care or for other suspected violations of this act by a physician;

(4) the department verifying registration cards pursuant to subsection (d);

(5) at a cardholder's request, the department confirming such cardholder's status as

a cardholder to a third party, such as a landlord, school, medical professional or court; and

(6) provided that no identifying information pertaining to cardholders, visiting cardholders, or physicians is disclosed:

(A) The department may release data that was voluntarily submitted by cardholders and visiting cardholders on the effectiveness and any side effects of medical hemp preparations to researchers at institutions of higher education; and

(B) the department may release information on the number of patients and designated caregivers approved, the number of registry identification cards revoked and aggregate information from voluntary reports on the effectiveness of medical hemp preparations and any side effects patients have experienced.

(d) Within 120 days of the effective date of this act, the department shall establish a secure phone or web-based verification system. Such verification system must allow law enforcement personnel, medical hemp establishments and medical hemp establishment agents to enter a registry identification number and determine whether or not the number corresponds with a current, valid registration card. The system may disclose only whether the registration card is valid, the name of the cardholder and whether the cardholder is a registered patient or a designated caregiver. The department may also include visiting cardholders in the database.

Sec. 5. (a) Not later than 120 days after the effective date of this act, the department shall promulgate rules and regulations:

(1) Establishing the form and content of registration and renewal applications submitted under this act;

(2) establishing the form and content of registration cards;

(3) determining the number of testing laboratories that will be allowed in the state, which may not be fewer than two;

(4) determining the number of hemp preparation centers that will be allowed in the state, which shall be:

(A) No fewer than is reasonably necessary to ensure safe, steady access to hemp preparations to cardholders located throughout the state; and

(B) no fewer than a total of three;

(5) establishing a system to numerically score competing medical hemp establishment applicants that must include analysis of:

(A) in the case of hemp preparation centers, the suitability of the proposed location and its accessibility for patients;

(B) the character, veracity, background and relevant experience of principal officers and board members; and

(C) the business plan proposed by the applicant, which in the case of hemp preparation centers shall include the ability to maintain an adequate supply of hemp preparations, plans to ensure safety and security of patrons and the community and procedures to be used to prevent diversion;

(6) governing the manner in which it shall consider applications for and renewals of registration cards, which may include creating a standardized written certification form;

(7) governing medical hemp establishments to prevent diversion and theft without imposing an undue burden or compromising the confidentiality of cardholders, including:

- (A) Oversight requirements;
- (B) recordkeeping requirements;
- (C) security requirements, including at a minimum, lighting, physical security, transportation, waste destruction, video, and alarm requirements;
- (D) health and safety requirements, including prohibiting the use of harmful pesticides;
- (E) restrictions on advertising and signage;
- (F) requirements and procedures for the safe and accurate packaging and labeling of medical hemp including requiring:

- (i) Disclosure of whether the hemp preparation is organic or non-organic;
- (ii) specifying the length of time it typically takes for a product to take effect;
- (iii) listing ingredients and possible allergens in edible and potable preparations;
- (iv) a nutritional fact panel on all edible and potable products; and
- (v) a unique serial number that will match the product with a hemp preparation center batch and lot number so as to facilitate any warnings or recalls;

(G) rules for random sample testing to ensure that hemp preparations available to cardholders and visiting cardholders are accurately labeled for content and potency in accordance with standards established by the department to ensure the health and safety of patient cardholders;

- (H) procedures for mandatory and voluntary recalls of hemp preparations; and
- (I) reporting requirements for changes, alterations or modifications of the premises;
- (8) establishing procedures for suspending or terminating the registration certificates or registration cards of cardholders and medical hemp establishments that commit multiple or serious violations of the provisions of this act or any rules and regulations promulgated pursuant to this section; and

(9) establishing reasonable application and renewal fees for registration cards, hemp preparation center registration certificates, testing laboratory registration certificates and such other fees that the department deems reasonably necessary to administer this act, according to the following:

(A) The fees shall be no greater than the amount reasonably necessary to cover the cost the department incurs to implement the provisions of this act;

(B) the fees for registration cards shall be no greater than the amount reasonably necessary to cover the cost the department incurs processing the identification cards;

(C) the fee structure established by the department must incorporate a sliding scale for cardholders who receive medicaid, supplemental security income or social security disability insurance; and

(D) the following fees shall not exceed:

Hemp preparation center registration certificate.....	\$5,000
Hemp preparation center registration certificate.....	\$20,000
Testing laboratory registration certificate.....	\$2,000
Individual hemp preparation registration card.....	\$75
Visiting cardholder.....	\$80

(b) The department may promulgate rules and regulations:

(1) Establishing a presumptive maximum quantity of hemp preparations that a cardholder or a visiting cardholder may possess, provided that:

- (A) The amount should be no less than a reasonable 60-day supply; and
- (B) a patient may apply for a waiver if a physician provides a substantial medical

basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, the amount established by the department is an insufficient amount to properly alleviate the patient's medical condition or symptoms associated with such medical condition;

(2) requiring visiting cardholders to submit a medical practitioner's statement confirming that the patient has a qualifying medical condition and documentation demonstrating that the visiting cardholder is allowed to possess cannabis or hemp preparations in the jurisdiction where such person resides, provided that:

(A) Any fee required of visiting cardholders must be no greater than the amount reasonably necessary to cover the cost the department incurs in processing their documentation and issuing any confirmation; and

(B) if the department requires visiting cardholders to submit documentation to the department, a confirmation must be issued electronically to the individual no later than seven calendar days after such documentation is submitted.

Sec. 6. (a) A cardholder or visiting cardholder shall not be subject to arrest, prosecution under state or municipal law or denial of any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau, for the medical use of hemp preparations pursuant to sections 1 through 11, and amendments thereto.

(b) No person may be subject to arrest, prosecution under state or municipal law or denial of any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau, for:

(1) Selling hemp paraphernalia to a registered medical hemp establishment, a cardholder or a visiting cardholder;

(2) being in the presence or vicinity of the medical use of hemp preparations as allowed by sections 1 through 11, and amendments thereto; or

(3) assisting a patient with a registration card in the act of using or administering hemp.

(c) A hemp preparation center or hemp preparation center agent shall not be subject to prosecution under state or municipal law, search or inspection, except by the department pursuant to section 10(a), and amendments thereto, seizure or penalty in any manner or be denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to sections 1 through 11, and amendments thereto, and department rules and regulations to:

(1) Sell cannabis seeds to similar entities that are registered to dispense cannabis for medical use in other jurisdictions;

(2) acquire, cultivate, grow, harvest, manufacture, plant, possess, prepare, propagate, transport or store cannabis, hemp paraphernalia and hemp preparations;

(3) deliver, dispense, supply, sell, transfer or transport hemp preparations, paraphernalia for use with hemp preparations or related supplies and educational materials to cardholders and visiting cardholders;

(4) deliver, dispense, transfer, transport, sell or supply cannabis seeds, cannabis seedlings, cannabis plants, cannabis, hemp preparations or related supplies and educational materials to other hemp preparation centers; or

(5) deliver, transfer or transport cannabis or hemp preparations to registered testing

laboratories.

(d) A registered testing laboratory and testing laboratory agents acting on behalf of a testing laboratory shall not be subject to prosecution under state or municipal law, search, except by the department pursuant to section 10(a), and amendments thereto, seizure or penalty in any manner, or be denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or business licensing board or entity, solely for acting in accordance with this act and department rules and regulations to provide the following services:

(1) Acquiring, possessing, storing, analyzing, testing or transporting cannabis obtained from hemp preparation centers and hemp preparations obtained from cardholders, visiting cardholders or hemp preparation centers;

(2) possessing, storing or transporting hemp paraphernalia;

(3) returning the hemp preparations to cardholders or hemp preparation centers; or

(4) receiving compensation for actions allowed under this section.

(e) Mere possession of, or application for, a registration card or medical hemp establishment registration shall not constitute probable cause or reasonable suspicion, nor shall it be used to support the search of the person, property or home of the person possessing or applying for the registration card. The possession of, or application for, a registration card or registration certificate shall not preclude the existence of probable cause if probable cause exists on other grounds.

(f) For the purposes of state law, the medical use of hemp preparations by a cardholder or visiting cardholder and activities a registered medical hemp establishment are registered to engage in shall be considered lawful as long as they are undertaken in accordance with sections 1 through 11, and amendments thereto.

Sec. 7. (a) For the purposes of medical care, including organ and tissue transplants, a patient's medical use of hemp preparations in accordance with sections 1 through 11, and amendments thereto, is the equivalent of the authorized use of any other medication in accordance with a prescription issued by a physician and does not constitute the use of an illicit substance or otherwise disqualify a patient cardholder from needed medical care.

(b) A person otherwise entitled to custody of or visitation or parenting time with a minor shall not be denied such a right, and there shall be no presumption of neglect or child endangerment, for conduct allowed by sections 1 through 11, and amendments thereto, unless the person's actions in relation to hemp preparations were such that they created an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

Sec. 8. (a) Sections 1 through 11, and amendments thereto, do not authorize any person to engage in, and do not prevent the imposition of any civil, criminal or other penalties for engaging in the following conduct:

(1) Undertaking any task under the influence of hemp preparations when doing so would constitute negligence or professional malpractice; or

(2) operating, navigating or being in actual physical control of any motor vehicle, aircraft or motorboat while impaired by hemp preparations.

(b) Nothing in this act requires a government medical assistance program or private insurer to reimburse a person for costs associated with the medical use of hemp preparations.

Sec. 9. (a) Any person who operates a medical hemp establishment must first

submit an application form to the department and receive approval. Each application must be for a single type of a medical hemp establishment.

(b) No later than 120 days after the effective date of this act, the department shall begin accepting applications for hemp preparation centers and testing laboratories.

(c) Except as otherwise provided in this act, not later than 90 calendar days after receiving an application to operate a medical hemp establishment, the department shall register the medical hemp establishment and issue a registration certificate and a random identification number if:

(1) The person or persons who wish to operate the proposed medical hemp establishment have submitted to the department all of the following:

(A) The application fee, as established by the department; and

(B) an application, which must include:

(i) The legal name of the proposed medical cannabis establishment;

(ii) the physical address where the proposed medical hemp establishment will be located and the physical address of any co-owned additional or otherwise associated medical hemp establishments, so long as the location of the proposed medical hemp establishment is not within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 which existed on the date on which the application for the proposed medical hemp establishment was submitted to the department;

(C) evidence that the applicant controls not less than \$250,000 in liquid assets;

(D) evidence that the applicant owns the property on which the proposed medical hemp establishment will be located or has the written permission of the property owner to operate the proposed medical hemp establishment on that property;

(E) the name, address and date of birth of each person who is proposed to be an owner, officer or board member of the proposed medical hemp establishment;

(F) operating procedures consistent with rules and regulations of the department for oversight of the proposed medical hemp establishment, including procedures to ensure the use of adequate security measures;

(G) if the city, town or, in the case of a location in an unincorporated area, county in which the proposed medical hemp establishment will be located has enacted zoning restrictions or licensing requirements, proof of licensure with the applicable local governmental authority or an affirmation signed by the applicant that the proposed medical hemp establishment will be in compliance with those restrictions and satisfies all applicable zoning requirements; and

(H) such other information as the department may reasonably require by rules and regulations;

(2) none of the persons who are proposed to be owners, officers or board members of the proposed medical hemp establishment have served as an owner, officer or board member for a medical hemp establishment that has had its medical hemp establishment registration certificate revoked; and

(3) none of the persons who are proposed to be owners, officers or board members of the proposed medical hemp establishment are under 21 years of age.

(b) When more qualifying applications are submitted for a proposed hemp preparation center or testing laboratory than the department will approve, the department shall use an impartial and numerically scored merit-based selection process to determine which application or applications to approve. The department may approve

the highest scoring application or applications in specific geographic regions of the state. The department may conduct a background check of the principal officers and board members of any prospective hemp preparation center to carry out the provisions of this subsection.

(c) Except as otherwise provided in this act, if an application for registration as a medical hemp establishment satisfies the requirements of this section and the establishment is not disqualified from being registered as a medical hemp establishment pursuant to this act or other applicable law, the department shall issue to the establishment a medical hemp establishment registration certificate. A medical hemp establishment registration certificate expires two years after the date of issuance and may be renewed upon:

- (1) Submission of a renewal application; and
- (2) payment of the renewal fee established by the department.

Sec. 10. (a) Medical hemp establishments are subject to reasonable inspection by the department.

(b) A medical hemp establishment may not employ or accept as a volunteer any person who is under 21 years of age.

(c) The operating documents of a medical hemp establishment must include procedures for the oversight of the medical hemp establishment and procedures to ensure accurate recordkeeping.

(d) A medical hemp establishment shall implement appropriate security measures designed to deter and prevent:

- (1) The theft of cannabis and hemp preparations; and
- (2) unauthorized entrance into areas containing cannabis or hemp preparations.

(e) Before hemp preparations may be dispensed to a cardholder or visiting cardholder, a hemp preparation center agent must:

- (1) Make a diligent effort to verify that the registration card or other documentation presented to the hemp preparation center is valid; and
- (2) make a diligent effort to verify that the person presenting the card is the person identified on the registration card presented to the hemp preparation center agent.

(f) A hemp preparation center must dispense hemp preparations in a sealed container with a label that conforms to department regulations and that indicates the hemp preparation's ingredients and its percentages of tetrahydrocannabinol and cannabidiol by weight.

(g) Hemp preparation centers shall collect and submit to the department data on strains used, methods of delivery, any side effects experienced and the therapeutic effectiveness of hemp preparations for each patient who is willing to provide the information. Such data collection shall be done under the patient's registry identification number to protect the patient's confidentiality.

Sec. 11. If any provision of sections 1 through 11, and amendments thereto, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the application of any other provision of this act that can be given full effect without the invalid section or application.";

On page 2, in line 8, by striking "marihuana" and inserting "marijuana"; in line 11, by striking "marihuana" and inserting "marijuana";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "crimes, punishment and criminal

procedure" and inserting "controlled substances"; in line 2, after the semicolon by inserting "authorizing hemp preparation treatments for seizure disorders; establishing registration of patients and preparation centers; protection from arrest, prosecution and discrimination for authorized use; reducing criminal penalties for possession of marijuana;"

Roll call was demanded.

On roll call, the vote was: Yeas 67; Nays 49; Present but not voting: 0; Absent or not voting: 9.

Yeas: Ballard, Becker, Bollier, Bridges, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Dove, Estes, Ewy, Finney, Frownfelter, Gallagher, Grosserode, Hawkins, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kuether, Lane, Lewis, Lusk, Lusker, McPherson, Moxley, Ousley, Patton, Phillips, Powell, Proehl, Rooker, Ruiz, Jr. Ryckman, Sawyer, Schwab, Seiwert, Smith, Suellentrop, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Wilson, Wolfe Moore.

Nays: Alford, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, B. Carpenter, Corbet, Davis, DeGraaf, Edmonds, Esau, Finch, Francis, Garber, Gonzalez, Hedke, Hemsley, Highland, Hoffman, Houser, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Lunn, Macheers, Mason, Mast, Merrick, O'Brien, Osterman, Pauls, Peck, Read, Rhoades, Rubin, Sr. Ryckman, Scapa, Schroeder, Schwartz, Sutton, Thimesch, Todd, Vickrey, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Brunk, Goico, Kelley, Kleeb, Sloan, Whipple, Winn.

The motion of Rep. Wilson prevailed.

Also, on motion of Rep. Dove, **HB 2049** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) Sections 1 and 2, and amendments thereto, shall be known and may be cited as the alternative crop research act.

(b) As used in the alternative crop research act:

(1) "Certified seed" means industrial hemp seed that has been certified as having no more tetrahydrocannabinol concentration than that adopted by federal law in the controlled substances act, 21 U.S.C. § 801 et seq.

(2) "Department" means the Kansas department of agriculture.

(3) "Hemp products" means all products made from industrial hemp, including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed metal and seed oil for consumption and certified seed for cultivation if the seeds originate from industrial hemp varieties.

(4) "Industrial hemp" means all parts and varieties of the plant cannabis sativa, cultivated or possessed by a state educational institution or the department, whether growing or not, that contain a tetrahydrocannabinol concentration of no more than that adopted by federal law in the controlled substances act, 21 U.S.C. § 801 et seq.

(5) "Seed research" means research conducted to develop or recreate better strains of industrial hemp, particularly for the purpose of seed production.

(6) "State educational institution" means the university of Kansas, Kansas state university, Wichita state university, Emporia state university, Pittsburg state university



and Fort Hays state university.

(7) "Tetrahydrocannabinol" or "THC" means the natural or synthetic equivalents of the substances contained in the plant or in the resinous extractives of cannabis or any synthetic substances, compounds, salts or derivatives of the plant or chemicals and their isomers with similar chemical structure and pharmacological activity.

New Sec. 2. (a) The department, alone or in coordination with a state educational institution, may cultivate industrial hemp grown from certified seed and promote the research and development of industrial hemp. This research may include:

(1) Oversight and analysis of growth of industrial hemp to conduct agronomy research and analysis of required soils, growing conditions and harvest methods relating to the production of various varieties of industrial hemp that may be suitable for various commercial hemp products;

(2) seed research on various types of industrial hemp that are best suited to be grown in Kansas, including seed availability, creation of hybrid types, in-the-ground variety trials and seed production;

(3) analysis on the economic feasibility of developing an industrial hemp market in various types of industrial hemp that can be grown in Kansas;

(4) analysis on the estimated value-added benefits, including environment benefits, that Kansas businesses would reap by having an industrial hemp market of Kansas-grown industrial hemp varieties;

(5) a study on the agronomy research conducted worldwide relating to industrial hemp varieties, production and utilization; and

(6) a study on the feasibility of attracting federal and private funding for industrial hemp research.

(b) The secretary of agriculture shall have the authority to promulgate rules and regulations to carry out the provisions of the alternative crop research act.

(c) Nothing in the alternative crop research act shall be construed to authorize any person to violate any federal law.

Sec. 3. K.S.A. 2014 Supp. 21-5702 is hereby amended to read as follows: 21-5702.

(a) Prosecutions for crimes committed prior to July 1, 2009, shall be governed by the law in effect at the time the crime was committed. For purposes of this section, a crime was committed prior to July 1, 2009, if any element of the crime occurred prior thereto.

(b) The prohibitions of this act shall apply unless the conduct prohibited is authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act, the alternative crop research act or otherwise authorized by law.;

On page 2, in line 29, after "Supp." by inserting "21-5702 and"; also in line 29, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "cannabis; relating to"; also in line 1, by striking "relating"; in line 2, by striking "to"; also in line 2, after "substances;" by inserting "enacting the alternative crop research act,;" in line 3, before "21-5706" by inserting "21-5702 and"; also in line 3, by striking "section" and inserting "sections";

Also, on motion of Rep. McPherson to amend **HB 2049**, Rep. Rubin requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and **HB 2049** be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 91** be adopted;

also, on motion of Rep. Kuether to amend, the motion did not prevail, and the substitute bill be passed.

Committee report to **HB 2365** be adopted; also, on motion of Rep. McPherson to amend, the motion did not prevail, and the bill be passed as amended.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 52**.

The Senate adopts the Conference Committee report on **SB 189**.

The Senate adopts the Conference Committee report on **HB 2256**.

The Senate accedes to the request of the House for a conference on **HB 2005** and has appointed Senators Masterson, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2233** and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2268** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

#### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **Sub HB 2224, H Sub for SB 12, H Sub for SB 112, HB 2049, SB 290, H Sub for SB 91, SB 276, SB 105, SB 14, HB 2365** were advanced to Final Action on Bills and Concurrent Resolutions.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**Sub HB 2224**, AN ACT concerning technical professions; amending K.S.A. 2014 Supp. 74-7003 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 6; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, KleeB, Kuether, Lane, Lewis, Lunn, Lusk, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: DeGraaf, Garber, Hutchins, Lusker, Mason, Smith.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

## EXPLANATION OF VOTE

MR. SPEAKER: A small town in Jackson County had a small church. That church wanted to build a bigger church. A retired member of the congregation drew plans for the new sanctuary. The completed church passed inspections by an architect and an engineer.

The Board of Technical Professions determined Mr. Ray's action constituted the unlicensed practice of architecture. Mr. Ray filed a claim against the state. Representative Fund passed away in April 2011. The Senate "passed a hat" and collected money in Representative Fund's memory that was to go to Mr. Ray.

I vote no on **Sub HB 2224** in memory of Representative Rocky Fund and Eldon Ray.  
– BECKY HUTCHINS

**H Sub for SB 12**, AN ACT concerning crimes, punishment and criminal procedure; relating to service members of the United States armed forces; diversion; sentencing; amending K.S.A. 2014 Supp. 12-4415, 21-6630, 21-6815 and 22-2908 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 6; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Gonzalez, Highberger, Houston, Kuether, Rhoades, Ward.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

**H Sub for SB 112**, AN ACT concerning military servicemembers and military spouses; expedited professional credentialing; amending K.S.A. 2014 Supp. 48-3406 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke,

Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

**HB 2049**, AN ACT concerning crimes, punishment and criminal procedure; relating to possession of controlled substances; amending K.S.A. 2014 Supp. 21-5706 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 36; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Ballard, Becker, Billinger, Boldra, Bollier, Bridges, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Dove, Estes, Ewy, Finney, Francis, Frownfelter, Gallagher, Grosserode, Hawkins, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kleeb, Kuether, Lane, Lewis, Lusk, Lusker, McPherson, Moxley, Ousley, Patton, Pauls, Phillips, Proehl, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Barker, Barton, Bradford, Bruchman, Brunk, B. Carpenter, Corbet, DeGraaf, Edmonds, Esau, Finch, Garber, Gonzalez, Hedke, Hemsley, Highland, Hoffman, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Lunn, Macheers, Mast, Merrick, O'Brien, Osterman, Peck, Powell, Read, Rhoades, Scapa, Schroeder, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Mason, Sloan, Whipple, Winn.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote in favor of **HB 2049**. Thousands of Kansans suffer from debilitating seizure disorders and are looking for new treatment options. The carefully crafted components of this bill balance the need for positive health outcomes with the need to protect public and patient safety. The regulatory framework we're creating is a compassionate and responsible way for Kansans to access the medication they need. — JOHN WILSON, LOUIS RUIZ, PAM CURTIS, KATHY WOLFE MOORE, SYDNEY CARLIN, DENNIS "BOOG" HIGHBERGER, JARROD OUSLEY, RODERICK HOUSTON, CAROLYN BRIDGES

MR. SPEAKER: I could support a narrow use of hemp oil for medical purposes; I do not

believe this is the proper way to do it. I prefer a way where patients can have a prescription written and they are able to fill it at a regular pharmacy and have it covered by insurance just like any other pharmaceuticals. This bill is in conflict with federal law and there could still be negative consequences for families. Our federal government needs to resolve this issue so this can be done right. The bill also moves towards decriminalizing marijuana which I am opposed to. I vote no on **HB 2049**. – JOSEPH SCAPA

MR. SPEAKER: I vote “no” on **HB 2049**. Marijuana is illegal under Federal Law. Courts, including our U.S. Supreme Court, have ruled it to be of no value for medical therapies. For that reason, I vote against **HB 2049**. – PEGGY MAST

**SB 290**, AN ACT concerning the Kansas code of military justice; relating to commanding officer's nonjudicial punishment; amending K.S.A. 48-2301 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

**H Sub for SB 91**, AN ACT concerning renewable energy; relating to the renewable energy standards act, electric generation standard; relating to property tax; concerning exemptions for property used for renewable energy resources; relating to property tax on public utilities, definitions and exceptions; amending K.S.A. 2014 Supp. 66-1256, 66-1257, 66-1259, 79-201 and 79-5a01 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 66-1258, 66-1260, 66-1261 and 66-1262, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 11; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Hibbard, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleebl, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Ballard, Bridges, Carlin, Carmichael, Henry, Highberger, Kuether, Lane, Ruiz, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **H Sub for SB 91**. **H Sub for SB 91** effectively ends the Renewable Portfolio Standard, and replaces it with an artificial 'goal' that has no enforcement. The intent of the RPS was meant to create a competitive market for alternatives to traditional fossil fuels because of their damaging effects on the environment. Rather than improving current environmental policy, this policy moves our state backwards. — HAROLD LANE, DENNIS "BOOG" HIGHBERGER, BARBARA W. BALLARD, LOUIS RUIZ

MR. SPEAKER: I vote NO on **H Sub for SB 91**. The bill before this House creates a dangerous precedent for lawmaking. Nonelected individuals representing the wind industry, the Kansas Chamber of Commerce, and Americans for Prosperity brokered this deal behind closed doors, without elected officials. In the democratic process elected officials, not special interest groups, decide the law. I will not vote in favor of such influence peddling. — CAROLYN BRIDGES, SYDNEY CARLIN

**SB 276**, AN ACT concerning corporations and business entities; relating to business filings with the secretary of state; limited liability companies; amending K.S.A. 17-6601, 17-6602, 17-7002, 56-1a152 and 56-1a153 and K.S.A. 2014 Supp. 17-7673, 17-7674, 17-7675, 17-7677, 17-7680, 17-7681, 17-76,128, 17-76,143, 17-76,146, 17-7910, 17-7912, 17-7916, 17-7918, 17-7931, 17-7932, 17-7933, 17-7934 and 17-7937 and repealing the existing sections; also repealing K.S.A. 17-7304, 17-7308 and 56-1a508 and K.S.A. 2014 Supp. 17-7664, 17-7666, 17-7673a, 17-7674a, 17-7676, 17-7677a, 17-7678, 17-7683, 17-76,121, 17-76,121a, 17-76,122, 17-76,123, 17-76,124, 17-76,125, 17-76,127 and 56-1a156, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill,

Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

**SB 105**, AN ACT concerning the uniform interstate family support act; amending K.S.A. 2014 Supp. 23-36,101, 23-36,102, 23-36,103, 23-36,201, 23-36,202, 23-36,203, 23-36,204, 23-36,205, 23-36,206, 23-36,207, 23-36,208, 23-36,209, 23-36,301, 23-36,303, 23-36,304, 23-36,305, 23-36,306, 23-36,307, 23-36,308, 23-36,310, 23-36,311, 23-36,312, 23-36,313, 23-36,314, 23-36,316, 23-36,317, 23-36,318, 23-36,319, 23-36,401, 23-36,501, 23-36,502, 23-36,503, 23-36,504, 23-36,505, 23-36,506, 23-36,507, 23-36,601, 23-36,602, 23-36,603, 23-36,604, 23-36,605, 23-36,606, 23-36,607, 23-36,608, 23-36,609, 23-36,610, 23-36,611, 23-36,612, 23-36,613, 23-36,701, 23-36,801, 23-36,802, 23-36,901 and 23-36,902 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

**SB 14**, AN ACT concerning the disposition of district court fines, penalties and forfeitures; relating to the criminal justice information system line fund; amending K.S.A. 2014 Supp. 74-7336 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 21; Present but not voting: 0; Absent or not

voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Bradford, Couture-Lovelady, B. Carpenter, Claeys, Corbet, DeGraaf, Esau, Finney, Garber, Grosserode, Hildabrand, Hoffman, K. Jones, Kahrs, Mast, McPherson, O'Brien, Peck, Rhoades, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

**HB 2365**, AN ACT concerning the judicial branch; relating to court fees, docket fees and court costs; relating to dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch; amending K.S.A. 2014 Supp. 8-2107, 8-2110, 20-362, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-256, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6614e, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 10; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Barton, B. Carpenter, DeGraaf, Edmonds, Garber, K. Jones, O'Brien, Peck, Rhoades, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed, as amended.



MAY 7, 2015

743

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Friday, May 8, 2015.

# Journal of the House

SIXTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, May 8, 2015, 9:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 112 members present.

Reps. Anthimides, Edmonds, Goico, Hemsley, Henry, Johnson, Kelley, Lane, Mason, Rhoades, Sloan, Whipple and Winn were excused on excused absence by the Speaker.

Present later: Rep. Kelley.

Prayer by Chaplain Brubaker:

Gracious and Loving God,  
Thank You for another day.  
To be honest,  
we are all thankful it's Friday!  
As this body continues to work  
to wrap things up for the session,  
there are still some major decisions to be made.  
I pray that the members won't  
succumb to the inertia of habit.  
Instead, stir them to productive action.  
The residents of our great state  
depend on the creativity and good intentions  
of these leaders.  
So I ask that You shed new light  
for creative solutions  
to the issues that are longstanding  
and tend to cause disagreement and division.  
This I pray in Your Son's Name,  
Amen.

The Pledge of Allegiance was led by Rep. K. Jones.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2432.**

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2256, HB 2395, S Sub for HB 2149.**

## MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hutton, the House nonconcurred in Senate amendments to **HB 2395** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Hutton, Mason and Frownfelter as conferees on the part of the House.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2256** submits the following report:

The Senate recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill, as introduced, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 8 and inserting:

"New Section 1. (a) The attorney general may determine by a preponderance of the evidence after an investigation that a public agency has violated K.S.A. 45-215 et seq., and amendments thereto, and may, at any time prior to the filing of an action pursuant to K.S.A. 45-222, and amendments thereto, either enter into a consent order with the public agency or issue a finding of violation to the public agency.

(1) If the attorney general enters into a consent order with the public agency, the consent order:

(A) May contain admissions of fact and any or all of the following:

(i) Require completion of training approved by the attorney general concerning the requirements of K.S.A. 45-215 et seq., and amendments thereto;

(ii) Impose a civil penalty as provided for in K.S.A. 45-223, and amendments thereto, in

an amount not to exceed \$250 for each violation; and

(iii) Set forth the public agency's agreement that it will comply with the requirements of the open records act, K.S.A. 45-215 et seq., and amendments thereto; and

(B) Shall bear the signature of the head of the public agency, of any officer found to have violated the provisions of K.S.A. 45-215 et seq., and amendments thereto, and of any other person required by the attorney general. If the public agency is a governing body, all of the members of the governing body shall sign the consent order.

(2) If the attorney general issues a finding of violation to the public agency, the finding may contain findings of fact and conclusions of law and require the public agency to do any or all of the following:

(A) Cease and desist from further violation;

(B) Comply with the provisions of K.S.A. 45-215 et seq., and amendments thereto;

(C) Complete training approved by the attorney general concerning the requirements of K.S.A. 45-215 et seq., and amendments thereto; and

(D) Pay a civil penalty as provided for in K.S.A. 45-223, and amendments thereto, in an amount not to exceed \$500 for each violation.

(b) The attorney general may require submission of proof that requirements of any consent order entered pursuant to subsection (a)(1) or any finding of violation issued pursuant to subsection (a)(2) have been satisfied.

(c) (1) The attorney general may apply to the district court to enforce a consent order pursuant to subsection (a)(1) or finding of violation pursuant to subsection (a)(2). Prior to applying to the district court, the attorney general shall make a demand to the public agency to comply with the consent order or finding of violation and afford reasonable opportunity for the public agency to cure the violation.

(2) An enforcement action under this section may be filed in the district court of the county where the consent order or finding of violation is issued or is effective. The district court of any county shall have jurisdiction to enforce any consent order or finding of violation.

(3) In any enforcement action under this section, the court on its own motion, or on the motion of either party, may view the records in controversy in camera before reaching a decision.

(4) If the district court finds the attorney general did not abuse the attorney general's discretion in entering into the consent order or issuing the finding of violation, the district court shall enter an order that:

(A) Enjoins the public agency to comply with the consent order or finding of violation;

(B) imposes a civil penalty as provided for in K.S.A. 45-223, and amendments thereto. The penalty shall be set by the court in an amount not less than the amount ordered by the attorney general, nor more than \$500 for each violation;

(C) requires the public agency to pay the attorney general's court costs and costs incurred in investigating the violation; and

(D) provides for any other remedy authorized by K.S.A. 45-222(a), and amendments thereto, that the court deems appropriate.

(5) In any enforcement action under this section, if the court finds that any of the provisions of K.S.A. 45-215 et seq., and amendments thereto, were violated, such court:

(A) Except as provided in subsection (c)(5)(B), may require the public agency to pay the attorney general's reasonable attorney fees; and

(B) shall require the public agency to pay the attorney general's reasonable attorney fees, if the public agency's violation was not made in good faith and without a reasonable basis in fact or law.

(d) Any finding of violation issued by the attorney general pursuant to subsection (a)(2) shall be served upon the public agency:

(1) By certified mail, return receipt requested, to the last known place of business, residence or abode within or without this state; or

(2) in the manner provided in the code of civil procedure as if a petition had been filed.

(e) The attorney general shall maintain and make available for public inspection all consent orders entered pursuant to subsection (a)(1) and all findings of violation issued pursuant to subsection (a)(2).

(f) This section shall be a part of and supplemental to the open records act.

New Sec. 2. (a) In lieu of bringing an action as provided in K.S.A. 45-222, and amendments thereto, the attorney general or a county or district attorney may resolve the matter by accepting a consent judgment with respect to any act or practice declared

to be a violation of this act. Before any consent judgment entered into pursuant to this section shall be effective, such judgment must be approved by the district court and an entry made thereof in the manner required for making an entry of judgment. Once such approval is received, any breach of the conditions of the consent judgment shall be treated as a violation of a court order, and shall be subject to all the penalties provided by law therefor.

(b) A consent judgment may contain any remedy available to the district court, except it shall not include an award of reasonable expenses, investigation costs or attorney fees. A consent judgment may include a stipulation concerning the production of records requested pursuant to K.S.A. 45-215 et seq., and amendments thereto, subject to any permissible redactions as described in the consent judgment.

(c) This section shall be a part of and supplemental to the open records act.

New Sec. 3. (a) Any complaint submitted to the attorney general shall be on a form prescribed by the attorney general setting forth the facts that the complaining party believes show that K.S.A. 45-215 et seq., and amendments thereto, have been violated. The person submitting the complaint must attest to the facts under penalty of perjury pursuant to K.S.A. 53-601, and amendments thereto.

(b) This section shall be a part of and supplemental to the open records act.

New Sec. 4. (a) The attorney general may determine by a preponderance of the evidence after an investigation that a public body or agency has violated K.S.A. 75-4317 et seq., and amendments thereto, and may, at any time prior to the filing of an action pursuant to K.S.A. 75-4320a, and amendments thereto, either enter into a consent order with the public body or agency or issue a finding of violation to the public body or agency.

(1) If the attorney general enters into a consent order with the public body or agency, the consent order:

(A) May contain admissions of fact and any or all of the following:

(i) Require completion of training approved by the attorney general concerning the requirements of K.S.A. 75-4317 et seq., and amendments thereto;

(ii) impose a civil penalty as provided for in K.S.A. 75-4320, and amendments thereto, in an amount not to exceed \$250 for each violation; and

(iii) set forth the public body's or agency's agreement that it will comply with the requirements of the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto; and

(B) shall bear the signature of the head of the public body or agency, of any officer found to have violated the provisions of K.S.A. 75-4317 et seq., and amendments thereto, and of any other person required by the attorney general.

(2) If the attorney general issues a finding of violation to the public body or agency, the finding may contain findings of fact and conclusions of law and require the public body or agency to do any or all of the following:

(A) Cease and desist from further violation;

(B) comply with the provisions of K.S.A. 75-4317 et seq., and amendments thereto;

(C) complete training approved by the attorney general concerning the requirements of K.S.A. 75-4317 et seq., and amendments thereto; and

(D) pay a civil penalty as provided for in K.S.A. 75-4320, and amendments thereto, in an amount not to exceed \$500 for each violation.

(b) The attorney general may require submission of proof that requirements of any

consent order entered pursuant to subsection (a)(1) or any finding of violation issued pursuant to subsection (a)(2) have been satisfied.

(c) (1) The attorney general may apply to the district court to enforce a consent order pursuant to subsection (a)(1) or finding of violation pursuant to subsection (a)(2). Prior to applying to the district court, the attorney general shall make a demand to the public body or agency to comply with the consent order or finding of violation and afford reasonable opportunity for the public body or agency to cure the violation.

(2) An enforcement action under this section may be filed in the district court of the county where the consent order or finding of violation is issued or is effective. The district court of any county shall have jurisdiction to enforce any consent order or finding of violation.

(3) If the district court finds the attorney general did not abuse the attorney general's discretion in entering into the consent order or issuing the finding of violation, the district court shall enter an order that:

(A) Enjoins the public body or agency to comply with the consent order or finding of violation;

(B) imposes a civil penalty as provided for in K.S.A. 75-4320, and amendments thereto. The penalty shall be set by the court in an amount not less than the amount ordered by the attorney general, nor more than \$500 for each violation;

(C) requires the public body or agency to pay the attorney general's court costs and costs incurred in investigating the violation; and

(D) provides for any other remedy authorized by K.S.A. 75-4320a(a), and amendments thereto, that the court deems appropriate.

(4) In any enforcement action under this section, if the court finds that any of the provisions of K.S.A. 75-4317 et seq., and amendments thereto, were violated, such court:

(A) Except as provided in subsection (c)(4)(B), may require the public body or agency to pay the attorney general's reasonable attorney fees; and

(B) shall require the public body or agency to pay the attorney general's reasonable attorney fees, if the public body's or agency's violation was not made in good faith and without a reasonable basis in fact or law.

(d) Any finding of violation issued by the attorney general pursuant to subsection (a)(2) shall be served upon the public body or agency:

(1) By certified mail, return receipt requested, to the last known place of business, residence or abode within or without this state; or

(2) in the manner provided in the code of civil procedure as if a petition had been filed.

(e) The attorney general shall maintain and make available for public inspection all consent orders entered pursuant to subsection (a)(1) and all findings of violation issued pursuant to subsection (a)(2).

(f) This section shall be a part of and supplemental to the open meetings act.

New Sec. 5. (a) In lieu of bringing an action as provided in K.S.A. 75-4320a, and amendments thereto, the attorney general or a county or district attorney may resolve the matter by accepting a consent judgment with respect to any act or practice declared to be a violation of this act. Before any consent judgment entered into pursuant to this section shall be effective, such judgment must be approved by the district court and an entry made thereof in the manner required for making an entry of judgment. Once such

approval is received, any breach of the conditions of the consent judgment shall be treated as a violation of a court order, and shall be subject to all the penalties provided by law therefor.

(b) A consent judgment may contain any remedy available to the district court, except it shall not include an award of reasonable expenses, investigation costs or attorney fees.

(c) This section shall be a part of and supplemental to the open meetings act.

New Sec. 6. (a) Any complaint submitted to the attorney general shall be on a form prescribed by the attorney general setting forth the facts that the complaining party believes show that K.S.A. 75-4317 et seq., and amendments thereto, have been violated. The person submitting the complaint must attest to the facts under penalty of perjury pursuant to K.S.A. 53-601, and amendments thereto.

(b) This section shall be a part of and supplemental to the open meetings act.

New Sec. 7. (a) There is hereby created in the state treasury the attorney general's open government fund. Moneys in the attorney general's open government fund shall be used by the attorney general to carry out the provisions and purposes of the open records act, K.S.A. 45-215 et seq., and amendments thereto, and the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto. All expenditures from the attorney general's open government fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or a person designated by the attorney general.

(b) All civil penalties, expenses, costs and attorney fees awarded in an action brought by the attorney general pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto, or the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto, or pursuant to a consent order or finding of violation of the attorney general as provided in section 1 or section 4, and amendments thereto, shall be credited to the attorney general's open government fund.

New Sec. 8. (a) Subject to the availability of appropriations, the attorney general shall provide and coordinate training throughout the state to promote knowledge of, and compliance with, the open records act, K.S.A. 45-215 et seq., and amendments thereto, and the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto. The attorney general may consult and coordinate with any appropriate organization to provide training.

(b) The attorney general may establish a program of computerized training to promote knowledge of, and compliance with, the open records act, K.S.A. 45-215 et seq., and amendments thereto, and the open meetings act, K.S.A. 75-4317, and amendments thereto, and to make training available throughout the state.

(c) The attorney general may approve training programs that satisfy training requirements imposed by the district court or by any order or judgment pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto, and the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto.

New Sec. 9. The attorney general may adopt rules and regulations to implement and administer the provisions of the open records act, K.S.A. 45-215 et seq., and amendments thereto, and the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto.

Sec. 10. K.S.A. 2014 Supp. 45-221 is hereby amended to read as follows: 45-221.  
(a) Except to the extent disclosure is otherwise required by law, a public agency shall

not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2014 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2014 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records which are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information which would reveal the identity of any undercover agent or any informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the court finds that disclosure:

(A) Is in the public interest;

(B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;

(C) would not reveal the identity of any confidential source or undercover agent;

(D) would not reveal confidential investigative techniques or procedures not known to the general public;

(E) would not endanger the life or physical safety of any person; and

(F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.



If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of paragraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than correspondence which is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

(A) The information which the agency maintains on computer facilities; and

(B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications which are prepared by a person other than an employee of a public agency or records which are the property of a private person.

(19) Well samples, logs or surveys which the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers, which records pertain to

proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which pertain to identifiable individuals.

(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records which represent and constitute the work product of an attorney.

(26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service.

(27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.

(28) Sealed bids and related documents, until a bid is accepted or all bids rejected.

(29) Correctional records pertaining to an identifiable inmate or release, except that:

(A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;

(B) the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;

(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall not be disclosed; and

(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to

the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.

(30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

(31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as otherwise provided by law.

(32) Engineering and architectural estimates made by or for any public agency relative to public improvements.

(33) Financial information submitted by contractors in qualification statements to any public agency.

(34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information which would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to ~~subsection (b) of~~ K.S.A. 40-409**(b)**, and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under ~~subsection (a) of~~ K.S.A. 40-2,156**(a)**, and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital which the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign

limited partnership, domestic limited liability partnerships and foreign limited liability partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; or (C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers, DD Form 214. Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safehouse or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with ~~subsection (h)(1) of~~ K.S.A. 44-532(h)(1), and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact information which has been given to the public agency for the purpose of public agency notifications or communications which are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act, and amendments thereto, upon request of the party submitting such records.

(51) Records of a public agency on a public website which are searchable by a keyword search and identify the home address or home ownership of a law enforcement officer as defined in K.S.A. 2014 Supp. 21-5111, and amendments thereto, parole officer, probation officer, court services officer or community correctional services officer. Such individual officer shall file with the custodian of such record a request to have such officer's identifying information restricted from public access on such public website. Within 10 business days of receipt of such requests, the public agency shall restrict such officer's identifying information from such public access. Such restriction shall expire after five years and such officer may file with the custodian of such record a

new request for restriction at any time.

(52) Records of a public agency on a public website which are searchable by a keyword search and identify the home address or home ownership of a federal judge, a justice of the supreme court, a judge of the court of appeals, a district judge, a district magistrate judge, a municipal judge, the United States attorney for the district of Kansas, an assistant United States attorney, a special assistant United States attorney, the attorney general, an assistant attorney general, ~~a district attorney or county attorney or an assistant district attorney or assistant county attorney~~, special assistant attorney general, a county attorney, an assistant county attorney, a special assistant county attorney, a district attorney, an assistant district attorney, a special assistant district attorney, a city attorney, an assistant city attorney or a special assistant city attorney. Such person shall file with the custodian of such record a request to have such person's identifying information restricted from public access on such public website. Within 10 business days of receipt of such requests, the public agency shall restrict such person's identifying information from such public access. Such restriction shall expire after five years and such person may file with the custodian of such record a new request for restriction at any time.

(53) Records of a public agency that would disclose the name, home address, zip code, e-mail address, phone number or cell phone number or other contact information for any person licensed to carry concealed handguns or of any person who enrolled in or completed any weapons training in order to be licensed or has made application for such license under the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto, shall not be disclosed unless otherwise required by law.

(54) Records of a utility concerning information about cyber security threats, attacks or general attempts to attack utility operations provided to law enforcement agencies, the state corporation commission, the federal energy regulatory commission, the department of energy, the southwest power pool, the North American electric reliability corporation, the federal communications commission or any other federal, state or regional organization that has a responsibility for the safeguarding of telecommunications, electric, potable water, waste water disposal or treatment, motor fuel or natural gas energy supply systems.

(55) Records of a public agency containing information or reports obtained and prepared by the office of the state bank commissioner in the course of licensing or examining a person engaged in money transmission business pursuant to K.S.A. 9-508 et seq., and amendments thereto, shall not be disclosed except pursuant to K.S.A. 9-513c, and amendments thereto, or unless otherwise required by law.

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" shall not include a request to an employee of a public agency that a document be prepared.

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record which has been in existence more than 70 years shall be open for inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.

Sec. 11. K.S.A. 2014 Supp. 45-222 is hereby amended to read as follows: 45-222.

(a) The district court of any county in which public records are located shall have jurisdiction to enforce the purposes of this act with respect to such records, by injunction, mandamus, declaratory judgment or other appropriate order, in an action brought by any person, the attorney general or a county or district attorney. The district court may require a defendant to complete training approved by the attorney general concerning the requirements of the open records act.

(b) In any action hereunder, the court shall determine the matter de novo. The court on its own motion, or on motion of either party, may view the records in controversy in camera before reaching a decision.

(c) In any action hereunder, or under section 1, and amendments thereto, the burden of proof shall be on the public agency to sustain its action.

(d) In any action hereunder, the court shall award costs and a reasonable sum as an attorney's fee for services rendered in such action, including proceedings on appeal, to be recovered and collected as part of the costs to the plaintiff if the court finds that the agency's denial of access to the public record was not in good faith and without a reasonable basis in fact or law. The award shall be assessed against the public agency that the court determines to be responsible for the violation.

~~(d)~~(e) In any action hereunder in which the defendant is the prevailing party, the court shall award to the defendant costs and a reasonable sum as an attorney's fee for services rendered in such action, including proceedings on appeal, to be recovered and collected as part of the costs if the court finds that the plaintiff maintained the action not in good faith and without a reasonable basis in fact or law.

~~(e)~~(f) In any action hereunder brought by the attorney general or a county or district attorney, if the court finds that any provisions were violated, such court:

(1) Except as provided in subsection (f)(2), may award the attorney general's or the county or district attorney's reasonable expenses, investigation costs and attorney fees; and

(2) shall award the same if the court determines that the violation was not made in good faith and without a reasonable basis in fact or law.

(g) Except as otherwise provided by law, proceedings arising under this section shall be assigned for hearing and trial at the earliest practicable date.

~~(f)-(h)~~ The provisions of subsections ~~(e)~~ (d) and ~~(d)~~ (e) concerning the awarding of costs and attorney fees for services rendered during an appeal shall apply only to actions which are based on causes of action accruing on or after July 1, 2004.

Sec. 12. K.S.A. 45-223 is hereby amended to read as follows: 45-223. (a) Any public agency subject to this act that knowingly violates any of the provisions of this act or that intentionally fails to furnish information as required by this act shall be liable for the payment of a civil penalty in an action brought by the attorney general or a county or district attorney, in a sum set by the court of not to exceed \$500 for each violation.

(b) Any civil penalty sued for and recovered hereunder by the attorney general shall be paid into the ~~state general~~ attorney general's open government fund. Any civil penalty sued for and recovered hereunder by a county or district attorney shall be paid into the general fund of the county in which the proceedings were instigated.

Sec. 13. K.S.A. 45-228 is hereby amended to read as follows: 45-228. (a) In investigating alleged violations of the Kansas open records act, the attorney general or county or district attorney may:

~~(a)~~(1) Subpoena witnesses, evidence, records, documents or other material;

~~(b)~~(2) take testimony under oath;

~~(c)~~(3) examine or cause to be examined any records or other documentary material of whatever nature relevant to such alleged violations;

~~(d)~~(4) require attendance during such examination of documentary material and take testimony under oath or acknowledgment in respect of any such documentary material; and

~~(e)~~(5) serve interrogatories; and

(6) administer oaths and affirmations.

(b) If a public agency claims in writing that any records or documents, or any portion thereof, obtained by the attorney general or a county or district attorney pursuant to subsection (a) are exempt from disclosure for any reason, the attorney general or a county or district attorney shall not further disclose that record or document, nor the contents thereof, unless ordered to do so by a district court enforcing the open records act in connection with such record or document. Such records and documents in the possession of the attorney general or a county or district attorney shall not be subject to a request for inspection and copying under the open records act and shall not be subject to discovery, subpoena or other process.

(c) Service by the attorney general or a county or district attorney of any interrogatories or subpoena upon any person shall be made:

(1) By certified mail, return receipt requested, to the last known place of business, residence or abode within or without this state; or

(2) in the manner provided in the code of civil procedure as if a petition had been filed.

(d) If any person willfully fails or refuses to file any response to a request for

information, records or other materials required by this section, respond to interrogatories or obey any subpoena issued by the attorney general or a county or district attorney, the attorney general or a county or district attorney may, after notice, apply to the district court of the county where the request, interrogatories or subpoena was issued, or of any other county where venue is proper, and after a hearing thereon the district court may:

(1) Issue an order requiring a response to the request for information, records or other materials, a response to the interrogatories or compliance with the subpoena; or

(2) grant such other relief as may be required, until the person provides the requested response for information, records or other materials, responds to the interrogatories or obeys the subpoena.

Sec. 14. K.S.A. 2014 Supp. 75-4317a is hereby amended to read as follows: 75-4317a. As used in the open meetings act, "meeting" means any gathering or assembly in person or through the use of a telephone or any other medium for interactive communication by a majority of the membership of a public body or agency subject to this act for the purpose of discussing the business or affairs of the public body or agency.

Sec. 15. K.S.A. 2014 Supp. 75-4318 is hereby amended to read as follows: 75-4318. (a) Subject to the provisions of subsection (g), all meetings for the conduct of the affairs of, and the transaction of business by, all legislative and administrative bodies and agencies of the state and political and taxing subdivisions thereof, including boards, commissions, authorities, councils, committees, subcommittees and other subordinate groups thereof, receiving or expending and supported in whole or in part by public funds shall be open to the public and no binding action by such public bodies or agencies shall be by secret ballot. Meetings of task forces, advisory committees or subcommittees of advisory committees created pursuant to a governor's executive order shall be open to the public in accordance with this act.

(b) Notice of the date, time and place of any regular or special meeting of a public body or agency designated ~~hereinabove~~ in subsection (a) shall be furnished to any person requesting such notice, except that:

(1) If notice is requested by petition, the petition shall designate one person to receive notice on behalf of all persons named in the petition, and notice to such person shall constitute notice to all persons named in the petition;

(2) if notice is furnished to an executive officer of an employees' organization or trade association, such notice shall be deemed to have been furnished to the entire membership of such organization or association; and

(3) the public body or agency may require that a request to receive notice must be submitted again to the public body or agency prior to the commencement of any subsequent fiscal year of the public body or agency during which the person wishes to continue receiving notice, but, prior to discontinuing notice to any person, the public body or agency must notify the person that notice will be discontinued unless the person resubmits a request to receive notice.

(c) It shall be the duty of the presiding officer or other person calling the meeting, if the meeting is not called by the presiding officer, to furnish the notice required by subsection (b).

(d) Prior to any meeting ~~hereinabove~~ mentioned by subsection (a), any agenda relating to the business to be transacted at such meeting shall be made available to any



person requesting the agenda.

(e) The use of cameras, photographic lights and recording devices shall not be prohibited at any meeting mentioned by subsection (a), but such use shall be subject to reasonable rules designed to insure the orderly conduct of the proceedings at such meeting.

(f) Except as provided by section 22 of article 2 of the constitution of the state of Kansas, interactive communications in a series shall be open if they collectively involve a majority of the membership of the public body or agency, share a common topic of discussion concerning the business or affairs of the public body or agency, and are intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the public body or agency.

(g) The provisions of the open meetings law shall not apply:

(1) To any administrative body that is authorized by law to exercise quasi-judicial functions when such body is deliberating matters relating to a decision involving such quasi-judicial functions;

(2) to the prisoner review board when conducting parole hearings or parole violation hearings held at a correctional institution;

(3) to any impeachment inquiry or other impeachment matter referred to any committee of the house of representatives prior to the report of such committee to the full house of representatives; and

(4) if otherwise provided by state or federal law or by rules of the Kansas senate or house of representatives.

Sec. 16. K.S.A. 2014 Supp. 75-4319 is hereby amended to read as follows: 75-4319. (a) Upon formal motion made, seconded and carried, all public bodies and agencies subject to the open meetings act may recess, but not adjourn, open meetings for closed or executive meetings. Any motion to recess for a closed or executive meeting shall include a statement of: (1) The justification for closing the meeting; (2) the subjects to be discussed during the closed or executive meeting; and (3) the time and place at which the open meeting shall resume. Such motion, including the required statement, shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the public body or agency. Discussion during the closed or executive meeting shall be limited to those subjects stated in the motion.

(b) No subjects shall be discussed at any closed or executive meeting, except the following:

(1) Personnel matters of nonelected personnel;

(2) consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship;

(3) matters relating to employer-employee negotiations whether or not in consultation with the representative or representatives of the public body or agency;

(4) confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships;

(5) matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person;

(6) preliminary discussions relating to the acquisition of real property;

(7) matters permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 74-8804, and amendments thereto;

(8) matters permitted to be discussed in a closed or executive meeting pursuant to ~~subsection (d)(1)~~ of K.S.A. 38-2212(d)(1), and amendments thereto, or ~~subsection (e)~~ of K.S.A. 38-2213(e), and amendments thereto;

(9) matters permitted to be discussed in a closed or executive meeting pursuant to ~~subsection (j)~~ of K.S.A. 22a-243(j), and amendments thereto;

(10) matters permitted to be discussed in a closed or executive meeting pursuant to ~~subsection (e)~~ of K.S.A. 44-596(e), and amendments thereto;

(11) matters permitted to be discussed in a closed or executive meeting pursuant to ~~subsection (g)~~ of K.S.A. 39-7, 119(g), and amendments thereto;

(12) matters required to be discussed in a closed or executive meeting pursuant to a tribal-state gaming compact;

(13) matters relating to security measures, if the discussion of such matters at an open meeting would jeopardize such security measures, that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; (C) a public body or agency, public building or facility or the information system of a public body or agency; or (D) private property or persons, if the matter is submitted to the public body or agency for purposes of this paragraph. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments;

(14) matters permitted to be discussed in a closed or executive meeting pursuant to ~~subsection (f)~~ of K.S.A. 65-525(f), and amendments thereto;

(15) matters permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 2014 Supp. 75-7427, and amendments thereto; and

(16) matters permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 2014 Supp. 46-3801, and amendments thereto.

(c) No binding action shall be taken during closed or executive recesses, and such recesses shall not be used as a subterfuge to defeat the purposes of this act.

(d) (1) Any confidential records or information relating to security measures provided or received under the provisions of subsection (b)(13), shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.

(2) (A) Except as otherwise provided by law, any confidential documents, records or reports relating to the prisoner review board provided or received under the provisions of subsection (b)(16) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.

(B) Notwithstanding any other provision of law to the contrary, any summary statement provided or received under the provisions of subsection (b)(16) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.

Sec. 17. K.S.A. 2014 Supp. 75-4320 is hereby amended to read as follows: 75-4320. (a) Any member of a public body or agency subject to ~~this the open meetings act~~ who knowingly violates any of the provisions of this such act or who intentionally fails to furnish information as required by ~~subsection (b)~~ of K.S.A. 75-4318(b), and

amendments thereto, shall be liable for the payment of a civil penalty in an action brought by the attorney general or county or district attorney, in a sum set by the court of not to exceed \$500 for each violation. In addition, any binding action which is taken at a meeting not in substantial compliance with the provisions of ~~this~~ the open meetings act shall be voidable in any action brought by the attorney general or county or district attorney in the district court of the county in which the meeting was held within 21 days of the meeting, and the court shall have jurisdiction to issue injunctions or writs of mandamus to enforce the provisions of ~~this~~ the open meetings act.

(b) Civil penalties sued for and recovered hereunder by the attorney general shall be paid into the ~~state general~~ attorney general's open government fund. Civil penalties sued for and recovered hereunder by a county or district attorney shall be paid into the general fund of the county where the proceedings were instigated.

(c) No fine shall be imposed pursuant to subsection (a) for violations of ~~subsection (f)~~ of K.S.A. 75-4318 (f), and amendments thereto, which occur prior to July 1, 2009.

Sec. 18. K.S.A. 75-4320a is hereby amended to read as follows: 75-4320a. (a) The district court of any county in which a meeting is held shall have jurisdiction to enforce the purposes of K.S.A. 75-4318 and 75-4319, and amendments thereto, with respect to such meeting, by injunction, mandamus, declaratory judgment or other appropriate order, on application of any person. The district court may require a defendant to complete training approved by the attorney general concerning the requirements of the open meetings act.

(b) In any action hereunder or under section 4, and amendments thereto, the burden of proof shall be on the public body or agency to sustain its action.

(c) In any action hereunder, the court may award court costs to the person seeking to enforce the provisions of K.S.A. 75-4318 or 75-4319, and amendments thereto, if the court finds that the provisions of those statutes were violated. The award shall be assessed against the public ~~agency or body~~ or agency responsible for the violation.

(d) In any action hereunder in which the defendant is the prevailing party, the court may award to the defendant court costs if the court finds that the plaintiff maintained the action frivolously, not in good faith or without a reasonable basis in fact or law.

(e) In any action hereunder brought by the attorney general or a county or district attorney, if the court finds that any provisions of K.S.A. 75-4318 or 75-4319, and amendments thereto, were violated, such court:

(1) Except as provided in subsection (e)(2), may award the attorney general's or the county or district attorney's reasonable expenses, investigation costs and attorney fees; and

(2) shall award the same if the court determines that the violation was not made in good faith and without a reasonable basis in fact or law.

(f) Except as otherwise provided by law, proceedings arising under this section shall take precedence over all other cases and shall be assigned for hearing and trial at the earliest practicable date.

~~(g)~~ (g) As used in this section, "meeting" has the meaning provided by K.S.A. 75-4317a, and amendments thereto.

Sec. 19. K.S.A. 2014 Supp. 75-4320b is hereby amended to read as follows: 75-4320b. (a) In investigating alleged violations of the ~~Kansas~~ open meetings act, the attorney general or county or district attorney may:

~~(a)~~ (1) Subpoena witnesses, evidence, records, documents or other material;

~~(b)-(2)~~ take testimony under oath;  
~~(e)-(3)~~ examine or cause to be examined any records or other documentary material of whatever nature relevant to such alleged violations;  
~~(d)-(4)~~ require attendance during such examination of documentary material and take testimony under oath or acknowledgment in respect of any such documentary material; ~~and~~

~~(e)-(5)~~ serve interrogatories; and

(6) administer oaths and affirmations.

(b) Service by the attorney general or a county or district attorney of any interrogatories or subpoena upon any person shall be made:

(1) By certified mail, return receipt requested, to the last known place of business, residence or abode within or without this state; or

(2) in the manner provided in the code of civil procedure as if a petition had been filed.

(c) If any person willfully fails or refuses to file any response to a request for information, records or other materials required by this section, respond to interrogatories or obey any subpoena issued by the attorney general or a county or district attorney, the attorney general or a county or district attorney may, after notice, apply to the district court of the county where the request, interrogatories or subpoena was issued, or of any other county where venue is proper, and after a hearing thereon the district court may:

(1) Issue an order requiring a response to the request for information, records or other materials, a response to interrogatories or compliance with the subpoena; or

(2) grant such other relief as may be required, until the person provides the requested response for information, records or other materials, responds to the interrogatories or obeys the subpoena.

Sec. 20. K.S.A. 45-223, 45-228 and 75-4320a and K.S.A. 2014 Supp. 45-221, 45-222, 75-4317a, 75-4318, 75-4319, 75-4320 and 75-4320b are hereby repealed.

Sec. 21. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking line 2; in line 3, by striking all before the period and inserting "public bodies or agencies; relating to the state of Kansas and local units of government; providing certain powers to the attorney general for investigation of violations of the open records act and the open meetings act; attorney general's open government fund; amending K.S.A. 45-223, 45-228 and 75-4320a and K.S.A. 2014 Supp. 45-221, 45-222, 75-4317a, 75-4318, 75-4319, 75-4320 and 75-4320b and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

*Conferees on part of Senate*

JOHN E. BARKER

CHARLES MACHEERS

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Barker, the conference committee report on **HB 2256** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 95; Nays 15; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alcalá, Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Henderson, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, D. Jones, Kahrs, Kelly, Kiegerl, Kuether, Lewis, Lusk, Lusker, Macheers, Mast, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: B. Carpenter, DeGraaf, Esau, Garber, Grosserode, Hildabrand, Houser, Hutchins, K. Jones, Lunn, McPherson, O'Brien, Peck, Read, Sutton.

Present but not voting: None.

Absent or not voting: Anthimides, Edmonds, Goico, Hemsley, Henry, Johnson, Kelley, Kleeb, Lane, Mason, Rhoades, Sloan, Suellentrop, Whipple, Winn.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2149** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 4, in line 38, by striking all after "environment"; in line 39, by striking "regulations"; in line 42, after "the" by inserting "medicaid";

On page 5, in line 16, after "the" by inserting "medicaid"; in line 17, by striking "(c)" and inserting "(b)"; in line 25, after the first "the" by inserting "medicaid"; in line 26, after "The" by inserting "medicaid"; in line 29, after "The" by inserting "medicaid"; in line 34, after "the" by inserting "medicaid"; in line 38, after "the" by inserting "medicaid"; in line 41, after the second "the" by inserting "medicaid"; in line 43, after "the" by inserting "medicaid";

On page 6, in line 13, by striking "pharmacy" and inserting "pharmacists";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK

MICHAEL O'DONNELL II

*Conferees on part of Senate*

DANIEL R. HAWKINS

SUSAN CONCANNON

*Conferees on part of House*

On motion of Rep. Hawkins, the conference committee report on **S Sub for HB 2149** was adopted.

On roll call, the vote was: Yeas 82; Nays 31; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Curtis, Ewy, Finney, Frownfelter, Gallagher, Henderson, Highberger, Houston, Kuether, Lusk, Lusk, Lusk, Ousley, Ruiz, Sawyer, Schroeder, Smith, Swanson, Tietze, Trimmer, Victors, Ward, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Anthimides, Edmonds, Goico, Hemsley, Henry, Johnson, Lane, Mason, Rhoades, Sloan, Whipple, Winn.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 83**, by Representative Larry Hibbard, congratulating Ida Webb in recognition of her 106<sup>th</sup> birthday on June 25, 2015;

**Request No. 84**, by Representative Joe Seiwert, congratulating Keeley Taylor in recognition for winning 3<sup>rd</sup> place in the 2015 Financial Scholars Essay Contest;

**Request No. 85**, by Representative Blake Carpenter, congratulating Zachary Dabney in recognition for receiving the rank of Eagle Scout;

**Request No. 86**, by Representative Blake Carpenter, congratulating Taylor Stephenson in recognition for receiving the rank of Eagle Scout;

**Request No. 87**, by Representative Blake Carpenter, congratulating Michael Klein in recognition for receiving the rank of Eagle Scout;

**Request No. 88**, by Representative Broderick Henderson, congratulating Keara Nicole Gaitan, member of First Baptist Church of Quindaro, on her graduation from Sumner Academy;

**Request No. 89**, by Representative Broderick Henderson, congratulating Crystal Areal Miller, member of First Baptist Church of Quindaro, on her graduation from Washington High School;

**Request No. 90**, by Representative Broderick Henderson, congratulating William Keith Wallace, Jr., member of First Baptist Church of Quindaro, on his graduation from Fl. L. Schlager High School;

**Request No. 91**, by Representative Willie Dove, congratulating Colonel J.P. Silverstein, United State Army, in recognition for serving with honor for 29 years;

**Request No. 92**, by Representative Amanda Grosserode, congratulating Johnson County Community College women's basketball team in recognition for winning the 2015 NJCAA Division II National Championship;

**Request No. 93**, by Representative Rick Billinger, congratulating Heartland Christian School in recognition for winning the 2015 KCAA Football State Championship;

**Request No. 94**, by Representative Rick Billinger, congratulating Sharon Springs-Wallace County High School Boy's Basketball Team in recognition for winning the 2015 Class 1A Division II State Basketball Championship;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

#### **COMMITTEE ASSIGNMENT CHANGE**

Speaker Merrick announced the appointment Rep. Ward to replace Rep. Ruiz on Committee on Commerce, Labor and Economic Development on May 11.

#### **REPORT ON ENROLLED BILLS**

**HB 2051, HB 2061, HB 2111** reported correctly enrolled, properly signed and presented to the Governor on May 8, 2015.

On motion of Rep. Vickrey, the House adjourned until 1:30 p.m., Monday, May 11, 2015.

# Journal of the House

SIXTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, May 11, 2015, 1:30 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. Sloan was excused on legislative business.

Reps. Estes, Hill, Ruiz and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious Lord God,  
For the beautiful sunshiny day You have given us,  
we thank You and ask that we not take it for granted.  
It is a day which begins the last stretch of the 90-day session.  
There is still much to be done.  
It would appear that most of what needs to be done  
deals with money –  
that issue for which Your Word says the love and lust  
for it is the root of all evil.  
Our concern here is the distribution of what funds  
we have that will benefit the most people  
in the right places –  
all of which is an issue of wise stewardship.  
Guide these leaders in Your wisdom and discernment.  
You have entrusted them with these decisions.  
Please direct them in the choices and resolutions to take.  
I pray this in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Jennings.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Dove are spread upon the Journal:

Colonel JP Silverstein is a native of Sherburne, NY. He enlisted in the Army in 1986 and received his commission in 1988 from Kemper Military College as an infantry officer. While finishing his education in History at the State University of New York, he served as an infantry platoon leader with 1/181<sup>st</sup> (M), Fort Drum, NY. His military



education includes the Transportation Officer Basic Course, Combined Logistics Officer Advance Course, Air Mobility Warfare School (USAF), Combined Arms and Services Staff School, Command and General Staff College, and Joint Planners Course.

His first assignment was as a Transportation Officer with the ACofS G4, 13<sup>th</sup> COSCOM at Fort Hood, TX. He then was assigned as a platoon leader and company XO for the 96<sup>th</sup> Heavy Transportation Company, 180<sup>th</sup> Transportation Battalion. He then became the Battalion Maintenance Officer. In 1994, he was assigned to the Republic of Korea as the Combined Airlift Officer, J4, Eighth United States Army. After his tour in Korea, he went to the 101<sup>st</sup> Airborne Division, at Fort Campbell, KY to serve as the Division's Materiel Readiness Officer. During this assignment he was deployed in support of Operation Joint Endeavor, Bosnia. Upon return, he was assigned as the S3 Plans and Operations Officer for the 101<sup>st</sup> Corps Support Group. He then commanded the 594<sup>th</sup> Transportation Company, 129<sup>th</sup> Corps Support Battalion. Following command, he moved to Salt Lake City, UT for an Active Component / Reserve Component tour with the 9<sup>th</sup> Training Support Battalion as an Observer Controller and 2<sup>nd</sup> Battalion, 360<sup>th</sup> Regiment as the Support Operations Officer. Following Command and General Staff College in 2002, he was assigned as the battalion XO for the 541<sup>st</sup> Corps Support Battalion at Fort Riley, KS. During that assignment he deployed in support of Operation Iraqi Freedom and after redeployment he became the Deputy G4 for the 24<sup>th</sup> Infantry Division. COL Silverstein's next assignment was as the Sustainment Warfighting Function Chief for Operations Group Delta, Battle Command Training Program, Fort Leavenworth, KS. He was selected for Battalion Command in 2006 and went back to Fort Riley, KS in 2007 to Command the 541<sup>st</sup> Combat Service Support Battalion until 2009 when he became the Deputy Commander for the 1<sup>st</sup> Sustainment Brigade at Fort Riley. During that time he deployed in support of Operations Iraqi Freedom and New Dawn. Upon return from deployment he was chosen to be the Chief of Operations Group Sierra, Mission Command Training Program, Fort Leavenworth, KS.

Col Silverstein's awards and decorations include the Bronze Star (1 OLC), Purple Heart, Army Meritorious Service Medal (6 OLC), Joint Service Commendation Medal, Army Service Commendation Medal (2 OLC), Army Achievement Medal (4 OLC), Joint Meritorious Unit Award, Meritorious Unit Citation, Army Superior Unit Award (1OLC), National Defense Service Medal, Combat Action Badge, and the Airborne and Air Assault Badges.

Col Silverstein is married to the former Nicole Marie Ward from Belgrade, MT and has two daughters, Lacey Brooke (14) and Addison Marie (2). They have chosen to retire in Bonner Springs, KS.

Rep. Dove presented a framed House certificate to Col Silverstein.

## **MESSAGES FROM THE GOVERNOR**

**HB 2013, HB 2044, HB 2064, S Sub for HB 2090, S Sub for HB 2225, HB 2231** approved on May 7, 2015.

**MESSAGES FROM THE SENATE**

The Senate accedes to the request of the House for a conference on **HB 2395** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H Sub for SB 12**, requests a conference and has appointed Senators Smith, Knox and Pettey as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H Sub for SB 91**, requests a conference and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H Sub for SB 112**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2095**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 12**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 91**.

Speaker Merrick thereupon appointed Reps. Hedke, Corbet and Kuether as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 112**.

Speaker Merrick thereupon appointed Reps. Barker, Macheers and Carmichael as conferees on the part of the House.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Johnson, the House nonconcurred in Senate amendments to **S Sub for HB 2095** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Johnson, Thompson and Trimmer as conferees on the part of the House.

**COMMITTEE ASSIGNMENT CHANGE**

Speaker Merrick announced the appointment of Rep. Couture-Lovelady to replace Rep. Grosserode on Committee on Appropriations on May 11 only.

**REPORT ON ENGROSSED BILLS**

**HB 2049, S Sub for HB 2149, S Sub for HB 2155, HB 2256, HB 2365** reported

correctly engrossed May 8, 2015.

**REPORT ON ENROLLED BILLS**

**S Sub for HB 2042, HB 2097, HB 2240, HB 2391** reported correctly enrolled, properly signed and presented to the Governor on May 11, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, May 12, 2015.

# Journal of the House

SIXTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, May 12, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 115 members present.

Reps. Kiegerl and O'Brien were excused on verified illness.

Rep. Sloan was excused on legislative business.

Reps. Anthimides, Bruchman, W. Carpenter, Claeys, Estes, Patton and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,  
Thank You for another day of life,  
another day in which we have the privilege  
to enjoy and make the most of it.  
We have approximately 109 hours left  
of this 90 day session  
to finish our work.  
Give our leaders wisdom and insight.  
Help them to walk slowly quickly  
through the process  
in order to accomplish all that needs to get done.  
Yet, help them not to rush through them  
without proper thought and discussion.  
Only You can make this happen.  
In Christ's Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Read.

## COMMUNICATIONS FROM STATE OFFICERS

From Captain Josh Kellerman, Public and Government Affairs, Kansas Highway Patrol, 2014 Annual Report.

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

**MESSAGES FROM THE SENATE**

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **Sub for SB 38**.

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **House Sub for SB 112**.

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **SB 113**.

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **HB 2025**.

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **HB 2048**.

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **S Sub for HB 2124**.

The Senate announced the appointment of Senator Pettey to replace Senator Haley as a conferee on **Sub HB 2159**.

The Senate announced the appointment of Senator King to replace Senator Powell as a conferee on **S Sub for HB 2177**.

The Senate announced the appointment of Senator Smith to replace Senator Kerschen as a conferee on **S Sub for HB 2177**.

The Senate announced the appointment of Senator Pettey to replace Senator Francisco as a conferee on **S Sub for HB 2177**.

Also, the Senate accedes to the request of the House for a conference on **S Sub for HB 2095** and has appointed Senators King, Longbine and Kelly as conferees on the part of the Senate.

**REPORTS OF STANDING COMMITTEES**

Committee on **Taxation** recommends **HB 2430** be amended on page 1, in line 18, by striking all after "(2)"; by striking all in lines 19 through 27; in line 28, by striking "(3)";

On page 2, in line 16, by striking "(1)"; in line 18, by striking "2014"; in line 19, by striking "Supp."; in line 20, by striking all after "business"; by striking all in lines 21 and 22; in line 23, by striking all before the period; in line 24, by striking all before "Any"; in line 25, by striking "meeting the requirements of subsection (b)(1)"; by striking all in lines 32 through 36; in line 37, by striking all after "(c)"; by striking all in lines 38 through 43;

On page 3, by striking all in lines 1 through 12 and inserting "The director of taxation shall not assess any penalties or interest arising from the underpayment of taxes under this section which occurs before January 1, 2016.";

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

On page 1, in the title, in line 3, by striking "who employ one or more persons"; and the bill be passed as amended.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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## AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

**MESSAGES FROM THE SENATE**

The Senate announced the appointment of Senator King to replace Senator Smith as a conferee on **H Sub for SB 12**.

The Senate announced the appointment of Senator Smith to replace Senator Knox as a conferee on **H Sub for SB 12**.

**REPORT ON ENROLLED BILLS**

**S Sub for HB 2043** reported correctly enrolled, properly signed and presented to the Governor on May 12, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:30 a.m., Wednesday, May 13, 2015.

# Journal of the House

## SIXTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, May 13, 2015, 11:30 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 113 members present.

Reps. Kiegerl, O'Brien and Ryckman, Sr. were excused on verified illness.

Reps. Peck and Sloan were excused on legislative business.

Reps. Anthimides, Claeys, Clark, Estes, Goico, Houston and Read were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious God,  
This is the day that You have made,  
help us to rejoice and be glad in it.  
For those who may be weary and discouraged,  
remind them of Your promise,  
“do not fear, for I am with you;  
do not be dismayed, for I am your God.  
I will strengthen you and help you;  
I will uphold you with my righteous right hand.”  
You also promise that if we do not dwell on the past,  
we will see that You are doing a new thing.  
Your Word tells us that,  
“*You* are making a way in the desert  
and streams in the wasteland.”  
We ask that you make a way  
for all the decisions yet to be made.  
In Christ’s Name I pray, Amen.  
(Isaiah 41:10; 43:18-19)

The Pledge of Allegiance was led by Rep. Smith.

### MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Barker, **HR 6024**, A RESOLUTION designating October 14, 2015, as Eisenhower Day and encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday, was adopted.

There being no objection, the following remarks of Rep. Barker are spread upon the Journal:

It is my pleasure to sponsor, along with every member in this body, **HR 6024** honoring the 125th birthday of Dwight David Eisenhower, Kansas' most favorite son.

President Eisenhower, whose hometown is Abilene, Kansas, is a pivotal figure in American history and embodies the American ideal. I would like to thank every member in sponsoring this joint resolution. You will find on your desks an "I Like Ike" sticker or pin, which I hope you will wear in this celebration.

I would like to introduce the following members: Meredith Sleichter, Executive Officer, Eisenhower Foundation; Karl Weissenbach, Director, Eisenhower Presidential Library; Mack Teasley, Former Executive Director, Eisenhower Foundation; Inge Teasley, David Dillner; Denise Guy, Superintendent, Abilene School District #435; Chris Cooper, Assistant Superintendent, Abilene School District #435; Mitzi Gose, Eisenhower Presidential Library; Tim Rives, Eisenhower Presidential Library; Tim Holm, Executive Board Member, Eisenhower Foundation.

"An opportunist thinks of me and today. A statesman thinks of us and tomorrow."  
Dwight D. Eisenhower

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 91** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

DENNIS HEDKE  
KEN CORBET  
ANNIE KUETHER  
*Conferees on part of House*

ROB OLSON  
MIKE PETERSEN  
MARCI FRANCISCO  
*Conferees on part of Senate*

On motion of Rep. Hedke the conference committee report on **H Sub for SB 91** to agree to disagree, was adopted.

Speaker Merrick thereupon appointed Reps. Hedke, Corbet and Kuether as second conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.



**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **HB 2104**.

The Senate adopts the Conference Committee report on **HB 2154**.

The Senate adopts the Conference Committee report on **Sub HB 2159**.

The Senate adopts the Conference Committee report on **HB 2233**.

The Senate adopts the Conference Committee report to agree to disagree on **H Sub for SB 91**, and has appointed Senators Olson, Petersen and Francisco as Second conferees on the part of the Senate.

The Senate concurs in House amendments to **Sub SB 38**, and requests return of the bill.

The Senate announced the appointment of Senator Kelly to replace Senator Hawk as a conferee on **SB 101**.

The Senate announced the appointment of Senator Kelly to replace Senator Hawk as a conferee on **HB 2142**.

**REPORTS OF STANDING COMMITTEES**

Committee on **Taxation** recommends **SB 270** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 270," as follows:

"House Substitute for SENATE BILL NO. 270

By Committee on Taxation

"AN ACT concerning taxation; relating to income tax, rates, itemized deductions; tax amnesty; sales and compensating use tax, rates, food; amending K.S.A. 2014 Supp. 79-32,110, 79-32,120, 79-3602, 79-3603, 79-3620, 79-3695, 79-3703 and 79-3710 and repealing the existing sections."; and the substitute bill be reported without recommendation.

(**H Sub for SB 270** was thereupon introduced and read by title.)

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6025** reported correctly enrolled and properly signed on May 13, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, May 14, 2015.

# Journal of the House

SIXTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, May 14, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. O'Brien was excused on verified illness.

Reps. Claeys, Goico, Kelley and Sawyer were excused on excused absence by the Speaker.

Present later: Reps. Kelley and O'Brien.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for this another day –  
one of two, from what I hear,  
that are going to be long ones.  
Help our leaders today to apply all  
that they learned in kindergarten:  
to share everything;  
play fair;  
don't hit people;  
clean up their own mess;  
say they are sorry when they hurt somebody;  
live a balanced life;  
take a nap in the afternoon;  
flush – oh, that doesn't apply here...  
well, maybe it does.  
Anyway, help them to follow Your Word where it says,  
“If any of you lacks wisdom,  
he should ask God,  
who gives generously to all  
without finding fault, and it will be given to him.”  
This I pray in your Son's Name,  
Amen.  
(James 1:5)

The Pledge of Allegiance was led by Rep. Sutton.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Bradford are spread upon the Journal:

I am honored today to be able to recognize a fellow member of my District and the Leavenworth Community. John Reichley is a columnist with the "Leavenworth Times" newspaper, the oldest newspaper in the State of Kansas. For 30 years, John has written articles twice weekly on subjects of military and community interests.

John Reichley is a stalwart member of the Leavenworth Community. His involvement in community activities is far-reaching across many venues and interests. He is a tour guide for the Kansas City World War I Museum as well as a tour guide for the Fort Leavenworth Military Historical Museum.

He is a renowned historian on military issues and a sought after speaker and lecturer on all subjects related to military history.

In 2013 John was elected "Citizen of the Year" for Leavenworth County.

It gives me great pleasure today to present this commendation to John Reichley, and to know him as a fellow warrior and a personal friend.

Rep. Bradford presented a framed House certificate to Mr. Reichley.

## COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Sawyer on Committee on Taxation on May 14 and 15 only.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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## AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2104**, **HB 2154**, **Sub HB 2159**, **HB 2106**.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2154** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 7, before "Section" by inserting "New";

On page 7, following line 34, by inserting:

"Sec. 5. K.S.A. 2014 Supp. 12-4415 is hereby amended to read as follows: 12-4415. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the city attorney shall consider at

least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender of an alcohol related offense and if the defendant has previously participated in diversion, according to the certification of the division of vehicles of the state department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit from diversion;

(5) whether there is a probability that the defendant committed such crime as a result of an injury, including major depressive disorder, polytrauma, post-traumatic stress disorder or traumatic brain injury, connected to service in a combat zone, as defined in section 112 of the federal internal revenue code of 1986, in the armed forces of the United States of America;

(6) if subsection (a)(5) applies to the defendant, whether there is a probability that the defendant will cooperate with and benefit from inpatient or outpatient treatment from any treatment facility or program operated by the United States department of defense, the United States department of veterans affairs or the Kansas national guard with the consent of the defendant, as a condition of diversion;

~~(5)~~ (7) whether the available diversion program is appropriate to the needs of the defendant;

~~(6)~~ (8) the impact of the diversion of the defendant upon the community;

~~(7)~~ (9) recommendations, if any, of the involved law enforcement agency;

~~(8)~~ (10) recommendations, if any, of the victim;

~~(9)~~ (11) provisions for restitution; and

~~(10)~~ (12) any mitigating circumstances.

(b) A city attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint alleging an alcohol related offense if the defendant:

(1) Has previously participated in diversion of an alcohol related offense;

(2) has previously been convicted of or pleaded nolo contendere to an alcohol related offense in this state or has previously been convicted of or pleaded nolo contendere to a violation of K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto, or of a law of another state, or of a political subdivision thereof, which prohibits the acts prohibited by those statutes; or

(3) during the time of the alleged alcohol related offense was involved in a motor vehicle accident or collision resulting in personal injury or death.

(c) "Major depressive disorder," "polytrauma," "post-traumatic stress disorder" and "traumatic brain injury" shall mean the same as such terms are defined in K.S.A. 2014 Supp. 21-6630, and amendments thereto.

Sec. 6. K.S.A. 2014 Supp. 21-6630 is hereby amended to read as follows: 21-6630.

(a) Upon motion of the defendant at the time of conviction or prior to sentencing, a defendant convicted of a criminal offense may assert that such defendant committed such offense as a result of ~~mental illness~~ an injury, including major depressive disorder, polytrauma, post-traumatic stress disorder, stemming from or traumatic brain injury, connected to service in a combat zone in the United States armed forces of the United States of America. The court shall hold a hearing to determine whether the defendant:

(1) Has served in the armed forces of the United States of America in a combat

zone, as defined in section 112 of the federal internal revenue code of 1986. Proof of such service shall consist of a certification by the executive director of the Kansas commission on veterans affairs in accordance with K.S.A. 73-1209, and amendments thereto;

~~(2) has separated from such armed forces with an honorable discharge or general discharge under honorable conditions;~~

~~(3) suffers from mental illness injury; and~~

~~(4) (3) such mental illness was caused or exacerbated by events occurring during such defendant's service in a combat zone injury was connected to service in a combat zone in the armed forces of the United States of America.~~

(b) (1) Except as provided in subsection (b)(2), if the court determines that such defendant meets the criteria provided in subsection (a) and such defendant's current crime of conviction and criminal history fall within a presumptive nonprison category under the sentencing guidelines, the court may order such defendant to undergo inpatient or outpatient treatment from any treatment facility or program operated by the United States department of defense, ~~the federal veterans' administration~~ United States department of veterans affairs or the Kansas national guard ~~with the consent of the defendant, if the defendant is eligible for and consents to such treatment.~~

(2) If the court determines that such defendant meets the criteria provided in subsection (a), ~~such defendant is ineligible for treatment pursuant to subsection (b)(1).~~ and such defendant meets the requirements established in K.S.A. 2014 Supp. 21-6824, and amendments thereto, the provisions of K.S.A. 2014 Supp. 21-6824, and amendments thereto, shall apply; ~~except that in lieu of requiring such defendant to participate in a certified drug abuse treatment program as provided in K.S.A. 2014 Supp. 75-52,144, and amendments thereto, the court may order such defendant to undergo drug abuse treatment from any treatment facility or program operated by the United States department of defense, the federal veterans' administration or the Kansas national guard with the consent of the defendant.~~

(c) Nothing in this section shall be construed to limit the court's authority to:

(1) Order any other sanction pursuant to K.S.A. 2014 Supp. 21-6602 or 21-6604, and amendments thereto;

(2) order a mental examination pursuant to K.S.A. 22-3429, and amendments thereto;

(3) order commitment pursuant to K.S.A. 22-3430 et seq., and amendments thereto; or

(4) determine that a person is a mentally ill person subject to involuntary commitment for care and treatment as defined in K.S.A. 59-2946, and amendments thereto.

(d) As used in this section:

(1) ~~"Mental illness" means a mental disorder manifested by a clinically significant behavioral or psychological syndrome or pattern and associated with either a painful symptom or an impairment in one or more important areas of functioning, and involving substantial behavioral, psychological or biological dysfunction, to the extent that the person is in need of treatment; and~~

~~(2) "Major depressive disorder" and "post-traumatic stress disorder" means posttraumatic stress disorder as mean the same as such terms are defined in the diagnostic and statistical manual of mental disorders, fifth edition (DSM-5, 2013), of~~

the American psychiatric association and that occurred as a result of events during the ~~person's~~ defendant's service in one or more combat zones.

(2) "Polytrauma" means injury to multiple body parts and organ systems that occurred as a result of events during the defendant's service in one or more combat zones.

(3) "Traumatic brain injury" means injury to the brain caused by physical trauma that occurred as a result of events during the defendant's service in one or more combat zones.

(e) This section shall be a part of and supplemental to the Kansas criminal code.

Sec. 7. K.S.A. 2014 Supp. 21-6815 is hereby amended to read as follows: 21-6815.

(a) Except as provided in subsection (b), the sentencing judge shall impose the presumptive sentence provided by the sentencing guidelines unless the judge finds substantial and compelling reasons to impose a departure sentence. If the sentencing judge departs from the presumptive sentence, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure.

(b) ~~Subject to the provisions of subsection (b) of K.S.A. 2014 Supp. 21-6817(b),~~ and amendments thereto, any fact that would increase the penalty for a crime beyond the statutory maximum, other than a prior conviction, shall be submitted to a jury and proved beyond a reasonable doubt.

(c) (1) Subject to the provisions of subsections (c)(3) and (e), the following nonexclusive list of mitigating factors may be considered in determining whether substantial and compelling reasons for a departure exist:

(A) The victim was an aggressor or participant in the criminal conduct associated with the crime of conviction.

(B) The offender played a minor or passive role in the crime or participated under circumstances of duress or compulsion. This factor may be considered when it is not sufficient as a complete defense.

(C) The offender, because of physical or mental impairment, lacked substantial capacity for judgment when the offense was committed. The voluntary use of intoxicants, drugs or alcohol does not fall within the purview of this factor.

(D) The defendant, or the defendant's children, suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(E) The degree of harm or loss attributed to the current crime of conviction was significantly less than typical for such an offense.

(F) The offender committed such crime as a result of an injury, including major depressive disorder, polytrauma, post-traumatic stress disorder or traumatic brain injury, connected to service in a combat zone, as defined in section 112 of the federal internal revenue code of 1986, in the armed forces of the United States of America. As used in this subsection, "major depressive disorder," "polytrauma," "post-traumatic stress disorder" and "traumatic brain injury" shall mean the same as such terms are defined in K.S.A. 2014 Supp. 21-6630, and amendments thereto.

(2) Subject to the provisions of subsection (c)(3), the following nonexclusive list of aggravating factors may be considered in determining whether substantial and compelling reasons for departure exist:

(A) The victim was particularly vulnerable due to age, infirmity, or reduced physical or mental capacity which was known or should have been known to the

offender.

(B) The defendant's conduct during the commission of the current offense manifested excessive brutality to the victim in a manner not normally present in that offense.

(C) The offense was motivated entirely or in part by the race, color, religion, ethnicity, national origin or sexual orientation of the victim or the offense was motivated by the defendant's belief or perception, entirely or in part, of the race, color, religion, ethnicity, national origin or sexual orientation of the victim whether or not the defendant's belief or perception was correct.

(D) The offense involved a fiduciary relationship which existed between the defendant and the victim.

(E) The defendant, 18 or more years of age, employed, hired, used, persuaded, induced, enticed or coerced any individual under 16 years of age to:

- (i) Commit any person felony;
- (ii) assist in avoiding detection or apprehension for commission of any person felony; or
- (iii) attempt, conspire or solicit, as defined in K.S.A. 2014 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, to commit any person felony.

That the defendant did not know the age of the individual under 16 years of age shall not be a consideration.

(F) The defendant's current crime of conviction is a crime of extreme sexual violence and the defendant is a predatory sex offender. As used in this subsection:

- (i) "Crime of extreme sexual violence" is a felony limited to the following:
  - (a) A crime involving a nonconsensual act of sexual intercourse or sodomy with any person;
  - (b) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is 14 or more years of age but less than 16 years of age and with whom a relationship has been established or promoted for the primary purpose of victimization;
  - (c) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is less than 14 years of age;
  - (d) aggravated human trafficking, as defined in ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5426(b), and amendments thereto, if the victim is less than 14 years of age; or
  - (e) commercial sexual exploitation of a child, as defined in K.S.A. 2014 Supp. 21-6422, and amendments thereto, if the victim is less than 14 years of age.
- (ii) "Predatory sex offender" is an offender who has been convicted of a crime of extreme sexual violence as the current crime of conviction and who:
  - (a) Has one or more prior convictions of any crimes of extreme sexual violence. Any prior conviction used to establish the defendant as a predatory sex offender pursuant to this subsection shall also be counted in determining the criminal history category; or
  - (b) suffers from a mental condition or personality disorder which makes the offender likely to engage in additional acts constituting crimes of extreme sexual violence.
  - (iii) "Mental condition or personality disorder" means an emotional, mental or physical illness, disease, abnormality, disorder, pathology or condition which motivates the person, affects the predisposition or desires of the person, or interferes with the

capacity of the person to control impulses to commit crimes of extreme sexual violence.

(G) The defendant was incarcerated during the commission of the offense.

(H) The crime involved two or more participants in the criminal conduct, and the defendant played a major role in the crime as the organizer, leader, recruiter, manager or supervisor.

In determining whether aggravating factors exist as provided in this section, the court shall review the victim impact statement.

(3) If a factual aspect of a crime is a statutory element of the crime or is used to subclassify the crime on the crime severity scale, that aspect of the current crime of conviction may be used as an aggravating or mitigating factor only if the criminal conduct constituting that aspect of the current crime of conviction is significantly different from the usual criminal conduct captured by the aspect of the crime.

(d) In determining aggravating or mitigating circumstances, the court shall consider:

(1) Any evidence received during the proceeding;

(2) the presentence report;

(3) written briefs and oral arguments of either the state or counsel for the defendant; and

(4) any other evidence relevant to such aggravating or mitigating circumstances that the court finds trustworthy and reliable.

(e) Upon motion of the prosecutor stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who is alleged to have committed an offense, the court may consider such mitigation in determining whether substantial and compelling reasons for a departure exist. In considering this mitigating factor, the court may consider the following:

(1) The court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the prosecutor's evaluation of the assistance rendered;

(2) the truthfulness, completeness and reliability of any information or testimony provided by the defendant;

(3) the nature and extent of the defendant's assistance;

(4) any injury suffered, or any danger or risk of injury to the defendant or the defendant's family resulting from such assistance; and

(5) the timeliness of the defendant's assistance.

Sec. 8. K.S.A. 2014 Supp. 22-2908 is hereby amended to read as follows: 22-2908.

(a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the county or district attorney shall consider at least the following factors among all factors considered:

(1) The nature of the crime charged and the circumstances surrounding it;

(2) any special characteristics or circumstances of the defendant;

(3) whether the defendant is a first-time offender and if the defendant has previously participated in diversion, according to the certification of the Kansas bureau of investigation or the division of vehicles of the department of revenue;

(4) whether there is a probability that the defendant will cooperate with and benefit from diversion;

(5) whether the available diversion program is appropriate to the needs of the defendant;



(6) whether there is a probability that the defendant committed such crime as a result of an injury, including major depressive disorder, polytrauma, post-traumatic stress disorder or traumatic brain injury, connected to service in a combat zone, as defined in section 112 of the federal internal revenue code of 1986, in the armed forces of the United States of America;

(7) if subsection (a)(6) applies to the defendant, whether there is a probability that the defendant will cooperate with and benefit from inpatient or outpatient treatment from any treatment facility or program operated by the United States department of defense, the United States department of veterans affairs or the Kansas national guard with the consent of the defendant, as a condition of diversion;

~~(6)~~ (8) the impact of the diversion of the defendant upon the community;

~~(7)~~ (9) recommendations, if any, of the involved law enforcement agency;

~~(8)~~ (10) recommendations, if any, of the victim;

~~(9)~~ (11) provisions for restitution; and

~~(10)~~ (12) any mitigating circumstances.

(b) A county or district attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint if:

(1) The complaint alleges a violation of K.S.A. 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto, and the defendant: (A) Has previously participated in diversion upon a complaint alleging a violation of that statute or an ordinance of a city in this state which prohibits the acts prohibited by that statute; (B) has previously been convicted of or pleaded nolo contendere to a violation of that statute or a violation of a law of another state or of a political subdivision of this or any other state, which law prohibits the acts prohibited by that statute; or (C) during the time of the alleged violation was involved in a motor vehicle accident or collision resulting in personal injury or death;

(2) the complaint alleges that the defendant committed a class A or B felony or for crimes committed on or after July 1, 1993, an off-grid crime, a severity level 1, 2 or 3 felony for nondrug crimes, a drug severity level 1 or 2 felony for drug crimes committed on or after July 1, 1993, but prior to July 1, 2012, or a drug severity level 1, 2 or 3 felony committed on or after July 1, 2012; or

(3) the complaint alleges a domestic violence offense, as defined in K.S.A. 2014 Supp. 21-5111, and amendments thereto, and the defendant has participated in two or more diversions in the previous five year period upon complaints alleging a domestic violence offense.

(c) A county or district attorney may enter into a diversion agreement in lieu of further criminal proceedings on a complaint for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, if such diversion carries the same penalties as the conviction for the corresponding violations. If the defendant has previously participated in one or more diversions for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, then each subsequent diversion shall carry the same penalties as the conviction for the corresponding violations.

(d) As used in this section, "major depressive disorder," "polytrauma," "post-traumatic stress disorder" and "traumatic brain injury" shall mean the same as such terms are defined in K.S.A. 2014 Supp. 21-6630, and amendments thereto.

Sec. 9. K.S.A. 2014 Supp. 48-3406 is hereby amended to read as follows: 48-3406.

(a) For the purposes of this section:

(1) "Licensing body" ~~has the meaning ascribed thereto in K.S.A. 74-146, and amendments thereto~~ means an official, agency, board or other entity of the state which authorizes individuals to practice a profession in this state and issues a license, registration, certificate, permit or other authorization to an individual so authorized;

(2) "~~military-service~~ servicemember" means a member of the army, navy, marine corps, air force, air or army national guard of any state, coast guard or any branch of the military reserves of the United States; and

(3) "~~military-service member~~" means ~~a member who entered into military service and separated from such military service with an honorable discharge or a general discharge under honorable conditions; and~~

(4) "military spouse" means the spouse of an individual who is currently in active service in any branch of the armed forces of the United States.

(b) Notwithstanding any other provision of law, any licensing body shall:

(1) Upon submission of a completed application, issue a license, registration or certification to a nonresident military spouse, so that the nonresident military spouse may lawfully practice the person's occupation; and

(2) upon submission of a completed application within six months following release from military service, issue a license, registration or certification to a military servicemember with an honorable discharge so that the military servicemember may lawfully practice the person's military servicemember's occupation.

(c) A military servicemember with an honorable discharge or nonresident military spouse shall receive a license, registration or certification under subsection (b) of this section:

(1) Pursuant to applicable licensure, registration or certification by endorsement, reinstatement or reciprocity statutes of the licensing body of this state for the profession license, registration or certification within 60 days from the date a complete application was submitted; or

(2) if the professional practice act does not have licensure, registration or certification by endorsement, reinstatement or reciprocity statutes, then, at the time of application, the military servicemember or nonresident military spouse:

(A) Holds a current license, registration or certification in another state, district or territory of the United States with licensure, registration or certification requirements that the licensing body determines are equivalent to those established by the licensing body of this state;

(B) has not committed an act in any jurisdiction that would have constituted grounds for the limitation, suspension or revocation or that the applicant has never been censured or had other disciplinary action taken or had an application for licensure, registration or certification denied or refused to practice an occupation for which the military servicemember or nonresident military spouse seeks licensure, registration or certification;

(C) has not been disciplined by a licensing, registering, certifying or other credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure or disciplinary proceeding conducted by a licensing, registering, certifying or other credentialing entity in another jurisdiction nor has surrendered their membership on any professional staff in any professional association or society or faculty for another state or ~~licensing~~ jurisdiction while under investigation

or to avoid adverse action for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action in a Kansas practice act;

(D) pays any fees required by the licensing body of this state; and

(E) submits with the application a signed affidavit stating that the application information, including necessary prior employment history, is true and accurate. Upon receiving such affidavit, the licensing body shall issue the license, registration or certification within 60 days from the date a complete application was submitted, to the military servicemember or nonresident military spouse on a probationary basis, but may revoke the license, registration or certification at any time if the information provided in the application is found to be false. Any probationary license issued under this ~~section~~ subsection to a military servicemember or nonresident military spouse shall not exceed ~~three~~ six months.

(d) Any person who has not been in the active practice of the occupation during the two years preceding the application for which the applicant seeks a license, registration or certification may be required to complete such additional testing, training, mentoring, monitoring or education as the Kansas licensing body may deem necessary to establish the applicant's present ability to practice with reasonable skill and safety.

(e) A nonresident military spouse licensed, registered or certified under this section shall be entitled to the same rights and subject to the same obligations as are provided by the licensing body for Kansas residents, except that revocation or suspension of a nonresident military spouse's license, registration or certificate in the nonresident military spouse's state of residence or any jurisdiction in which the nonresident military spouse held ~~license~~ a license, registration or certificate shall automatically cause the same revocation or suspension of such nonresident military spouse's license, registration or certificate in Kansas. No hearing shall be granted to a nonresident ~~licensee~~ military spouse where ~~the~~ such nonresident military spouse's license, registration or certificate is subject to such automatic revocation or suspension except for the purpose of establishing the fact of revocation or suspension of the nonresident military spouse's license, registration or certificate by the nonresident military spouse's state of residence.

(f) In the event the licensing body determines that the license, registration or certificate currently held by the military servicemember or nonresident military spouse under subsection (c)(2)(A) is not equivalent to those issued by the licensing body of this state, the licensing body may issue a temporary permit for a limited period of time to allow the military servicemember or nonresident military spouse to lawfully practice the ~~person's~~ military servicemember's or nonresident military spouse's occupation while completing any specific requirements that are required in this state for licensure, registration or certification that ~~were was~~ not required in the state, district or territory of the United States in which the military servicemember or nonresident military spouse was licensed ~~or, registered, certified or otherwise credentialed~~.

(g) A licensing ~~board~~ body may grant ~~certification,~~ licensure, registration, certification or a temporary permit to any person who meets the requirements under this section but was separated from such military service under less than honorable conditions or with a general discharge under honorable conditions.

(h) Each licensing body may adopt rules and regulations necessary to implement and carry out the provisions of this section.

(i) This section shall not apply to the practice of law or the regulation of attorneys

pursuant to K.S.A. 7-103, and amendments thereto.";

Also on page 7, in line 35, after "Supp." by inserting "12-4415, 21-6630, 21-6815, 22-2908, 48-3406 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 2 by striking "military matters" and inserting "servicemembers and veterans of the United States armed forces; relating to private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing"; in line 3, after "Supp." by inserting "12-4415, 21-6630, 21-6815, 22-2908, 48-3406 and"

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

JAKE LATURNER

OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

MARIO GOICO

LESLIE OSTERMAN

HAROLD LANE

*Conferees on part of House*

On motion of Rep. Osterman, the conference committee report on **HB 2154** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Claeys, Goico, Huebert, Sawyer.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2159** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on

conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments (Corrected), as follows:

On page 3, following line 37, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 8-1015 is hereby amended to read as follows: 8-1015.

(a) (1) Except as provided in subsection (a)(2), whenever a person's driving privileges have been suspended for one year as provided in ~~subsection (a) of K.S.A. 8-1014(a)~~, and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(2) Whenever a person's driving privileges have been suspended for one year as provided in ~~subsection (a)(1) of K.S.A. 8-1014(a)(1)~~, and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only: Under the circumstances provided by ~~subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292(a)(1), (2), (3) and (4)~~, and amendments thereto; and for the purpose of getting to and from the ignition interlock provider for maintenance and downloading of data from the device.

(3) Except as provided in subsection (a)(4), whenever a person's driving privileges have been suspended for one year as provided in ~~subsection (b) of K.S.A. 8-1014(b)~~, and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(4) Whenever a person's driving privileges have been suspended for one year as provided in ~~subsection (b)(2)(A) of K.S.A. 8-1014(b)(2)(A)~~, and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only: Under the circumstances provided by ~~subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292(a)(1), (2), (3) and (4)~~, and amendments thereto; and for the purpose of getting to and from the ignition interlock provider for maintenance and downloading of data from the device.

(5) The division shall assess an application fee of \$100 for a person to apply to modify the suspension to restricted ignition interlock status.

(6) The division shall approve the request for such restricted license unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court. If the request is approved, upon receipt of proof of the installation of such device, the division shall issue a copy of the order imposing such restrictions on the person's driving privileges and such order shall be carried by the person at any time the person is operating a motor vehicle on the highways of this state. Except as provided in K.S.A. 8-1017, and amendments thereto, if such person is convicted of a violation of the restrictions, such person's driving

privileges shall be suspended for an additional year, in addition to any term of suspension or restriction as provided in ~~subsection (a) or (b)~~ of K.S.A. 8-1014(a) or (b), and amendments thereto.

(b) (1) Except as provided in subsection (b)(2), when a person has completed the suspension pursuant to ~~subsection (b)(1)(A)~~ of K.S.A. 8-1014(b)(1)(A), and amendments thereto, the division shall restrict the person's driving privileges for 180 days to driving only a motor vehicle equipped with an ignition interlock device.

(2) When a person has completed the suspension pursuant to ~~subsection (b)(1)(A)~~ of K.S.A. 8-1014(b)(1)(A), and amendments thereto, the division shall restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device if the records maintained by the division indicate that such person has previously: (A) Been convicted of a violation of K.S.A. 8-1599, and amendments thereto; (B) been convicted of a violation of K.S.A. 41-727, and amendments thereto; (C) been convicted of any violations listed in ~~subsection (a)~~ of K.S.A. 8-285(a), and amendments thereto; (D) been convicted of three or more moving traffic violations committed on separate occasions within a 12-month period; or (E) had such person's driving privileges revoked, suspended, canceled or withdrawn.

(c) Except as provided in subsection (b), when a person has completed the suspension pursuant to ~~subsection (a) or (b)~~ of K.S.A. 8-1014(a) or (b), and amendments thereto, the division shall restrict the person's driving privileges pursuant to ~~subsection (a) or (b)~~ of K.S.A. 8-1014(a) or (b), and amendments thereto, to driving only a motor vehicle equipped with an ignition interlock device. Upon restricting a person's driving privileges pursuant to this subsection, the division shall issue a copy of the order imposing the restrictions which is required to be carried by the person at any time the person is operating a motor vehicle on the highways of this state.

(d) Whenever an ignition interlock device is required by law, such ignition interlock device shall be approved by the division and maintained at the person's expense. Proof of the installation of such ignition interlock device, for the entire period required by the applicable law, shall be provided to the division before the person's driving privileges are fully reinstated.

(e) Except as provided further, any person whose license is restricted to operating only a motor vehicle with an ignition interlock device installed may operate an employer's vehicle without an ignition interlock device installed during normal business activities, provided that the person does not partly or entirely own or control the employer's vehicle or business. The provisions of this subsection shall not apply to any person whose driving privileges have been restricted for the remainder of the one-year suspension period as provided in subsection (a)(1) or (a)(3).

(f) Upon expiration of the period of time for which restrictions are imposed pursuant to this section, the licensee may apply to the division for the return of any license previously surrendered by the licensee. If the license has expired, the person may apply to the division for a new license, which shall be issued by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless the person's driving privileges have been suspended or revoked prior to expiration.

(g) Any person who has had the person's driving privileges suspended, restricted or revoked pursuant to ~~subsection (a), (b) or (c)~~ of K.S.A. 8-1014(a), (b) or (c), prior to the amendments by section 16 of chapter 172 of the 2012 Session Laws of Kansas and

section 14 of chapter 105 of the 2011 Session Laws of Kansas, may apply to the division to have the suspension, restriction or revocation penalties modified in conformity with the provisions of ~~subsection (a), (b) or (c)~~ of K.S.A. 8-1014~~(a), (b) or (c)~~, and amendments thereto. The division shall assess an application fee of \$100 for a person to apply to modify the suspension, restriction or revocation penalties previously issued. The division shall modify the suspension, restriction or revocation penalties, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.

(h) The division shall remit all application fees collected pursuant to subsections (a) and (g) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the division of vehicles operating fund until an aggregate amount of \$100,000 is credited to the division of vehicles operating fund each fiscal year. On and after an aggregate amount of \$100,000 is credited to such fund each fiscal year, the entire amount of such remittance shall be credited to the community corrections supervision fund created by K.S.A. 2014 Supp. 75-52,113, and amendments thereto. The application fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such application. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.;

On page 17, in line 19, after the first comma by inserting "8-1015,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "fund;" by inserting "authorized restrictions of driving privileges, ignition interlock device;"; in line 4, after "8-241," by inserting "8-1015,";

And your committee on conference recommends the adoption of this report.

JEFF KING  
GREG SMITH  
PAT PETTEY

*Conferees on part of Senate*

JOHN E. BARKER  
CHARLES MACHEERS  
JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Barker, the conference committee report on **Sub HB 2159** was adopted.

On roll call, the vote was: Yeas 84; Nays 38; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Bradford, Bridges, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Lewis, Lunn, Lusker, Macheers, Mason, McPherson, Merrick, Moxley, O'Brien, Osterman,

Ousley, Patton, Pauls, Phillips, Powell, Proehl, Rooker, Rubin, Ryckman, Ryckman Sr., Schwab, Schwartz, Sloan, Smith, Sutton, Swanson, Thompson, Todd, Vickrey, Waymaster, Williams, Wilson.

Nays: Alcalá, Boldra, Bollier, Bruchman, Brunk, Burroughs, W. Carpenter, Esau, Ewy, Hedke, Hemsley, Henderson, Hutchins, K. Jones, Kahrs, Kelley, Kiegerl, Kuether, Lane, Lusk, Mast, Peck, Read, Rhoades, Ruiz, Scapa, Schroeder, Seiwert, Suellentrop, Thimesch, Tietze, Trimmer, Victors, Ward, Whipple, Whitmer, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Claeys, Goico, Sawyer.

#### EXPLANATION OF VOTE

MR. SPEAKER: While I supported **Sub HB 2159** as it passed out of the House, I am unable to support this conference committee report. I appreciate that this bill moves the waiting period for expungement of a first time DUI diversion or conviction from seven years to five years, but I am hesitant to support the Senate's position of moving from the current law of seven years back to 10 years on subsequent offenses. A compromise would have been to leave subsequent offenses at the current seven years. I vote NO on the Conference Committee Report for **Sub HB 2159**. — JACK THIMESCH

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2233** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 5, in line 23, by striking "November 1," and inserting "the first week of November";

On page 6, in line 18, by striking "implementation"; in line 20, by striking "implementation"; in line 25, by striking "implementation"; in line 27, by striking "implementation"; in line 29, by striking "implementation"; in line 33, by striking "implementation"; in line 42, by striking "implementation";

On page 7, in line 7, by striking "implementation"; in line 9, after "submit" by inserting "any request for an extension of time to file"; also in line 9, after "plan" by inserting ", if necessary, an interim state plan or a final state plan"; in line 10, before "four" by inserting ". Any interim or final state plan shall be submitted by the secretary no less than"; also in line 10, after "deadline" by inserting ", or extended submission deadline,"; in line 11, before "if" by inserting ". Any final state plan submitted to the environmental protection agency may only be submitted"; in line 21, by striking "implementation"; in line 25, by striking "implementation"; in line 28, by striking "implementation";

On page 8, in line 32, by striking the third "the";

And your committee on conference recommends the adoption of this report.

ROB OLSON

MIKE PETERSEN

MARCI FRANCISCO

*Conferees on part of Senate*



DENNIS HEDKE  
 KEN CORBET  
 ANNIE KUETHER

*Conferees on part of House*

On motion of Rep. Hedke, the conference committee report on **HB 2233** was adopted.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Vectors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: D. Jones.

Present but not voting: None.

Absent or not voting: Claeys, Goico, Sawyer.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 91** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 91, as follows:

On page 2, in line 26, by striking "to meet the new" and inserting "or committed to be incurred as a result of compliance with the"; in line 28, by striking "as in effect on December 31, 2015" and inserting "prior to its repeal"; in line 31, after the period by inserting "The commission shall allow affected utilities to recover reasonable costs incurred as a result of meeting the voluntary 20% goal in K.S.A. 2014 Supp. 66-1256, and amendments thereto.";

On page 6, by striking all in lines 26 and 27; in line 28, by striking the first "or"; in line 32, after "for" by inserting "such"; in line 33, by striking all before "when";

On page 7, following line 4, by inserting:

"Sec. 5. K.S.A. 2014 Supp. 79-223 is hereby amended to read as follows: 79-223.

(a) It is the purpose of this section to promote, stimulate, foster and encourage new investments in commercial and industrial machinery and equipment in the state of Kansas, to contribute to the economic recovery of the state, to enhance business opportunities in the state, to encourage the location of new businesses and industries in the state as well as the retention and expansion of existing businesses and industries and

to promote the economic stability of the state by maintaining and providing employment opportunities, thereby contributing to the general welfare of the citizens of the state, by exempting from property taxation all newly purchased or leased commercial and industrial machinery and equipment, including machinery and equipment transferred into this state for the purpose of expanding an existing business or for the creation of a new business.

(b) The following described property, to the extent specified by this section, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

*First.* Commercial and industrial machinery and equipment acquired by qualified purchase or lease made or entered into after June 30, 2006, as the result of a bona fide transaction not consummated for the purpose of avoiding taxation.

*Second.* Commercial and industrial machinery and equipment transported into this state after June 30, 2006, for the purpose of expanding an existing business or creation of a new business.

(c) Any purchase, lease or transportation of commercial and industrial machinery and equipment consummated for the purpose of avoiding taxation shall subject the property to the penalty provisions of K.S.A. 79-1422 and 79-1427a, and amendments thereto. The county appraiser shall not reclassify any property that is properly classified for property tax purposes within subclass (5) of class 2 of section 1 of article 11 of the constitution of the state of Kansas.

(d) As used in this section:

(1) "Acquired" shall not include the transfer of property pursuant to an exchange for stock securities, or the transfer of assets from one going concern to another due to a merger, reorganization or other consolidation;

(2) "commercial and industrial machinery and equipment" means property classified for property tax purposes within subclass (5) of class 2 of section 1 of article 11 of the constitution of the state of Kansas, but shall not include any electric generation facility or addition to an electric generation facility that is used predominately to produce and generate electricity utilizing renewable energy resources or technologies as defined in K.S.A. 79-201, and amendments thereto;

(3) "qualified lease" means a lease of commercial and industrial machinery and equipment for not less than 30 days for fair and valuable consideration where such machinery and equipment is physically transferred to the lessee to be used in the lessee's business or trade; and

(4) "qualified purchase" means a purchase of commercial and industrial machinery and equipment for fair and valuable consideration where such machinery and equipment is physically transferred to the purchaser to be used in the purchaser's business or trade.

(e) The secretary of revenue is hereby authorized to adopt rules and regulations to administer the provisions of this section.;

On page 8, in line 1, after "electricity" by inserting "at wholesale only, has no retail customers and is"; in line 5, by striking all after "thereto"; in line 6, by striking all before the period; in line 14, after "79-201" by inserting ", 79-223";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, after "79-201" by inserting ", 79-223";

And your committee on conference recommends the adoption of this report.

DENNIS HEDKE

KEN CORBET

*Conferees on part of House*

ROB OLSON

MIKE PETERSEN

*Conferees on part of Senate*

On motion of Rep. Hedke, the conference committee report on **H Sub for SB 91** was adopted.

On roll call, the vote was: Yeas 105; Nays 16; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wolfe Moore.

Nays: Alcala, Ballard, Bridges, Carlin, Carmichael, Henderson, Henry, Highberger, Houston, Kuether, Lane, Ruiz, Tietze, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Claeys, Goico, Sawyer, Schwab.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Macheers, the House concurred in Senate amendments to **HB 2106**, AN ACT concerning securities; relating to the Kansas uniform securities act; criminal penalties; fees; criminal procedure; amending K.S.A. 17-12a204 and K.S.A. 2014 Supp. 17-12a508 and 17-12a601 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 17-12a601a.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien,

Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Claeys, Goico, Sawyer, Schwab.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Friday, May 15, 2015.

# Journal of the House

SIXTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, May 15, 2015, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 119 members present.

Reps. Claeys, Concannon, K. Jones, Sawyer, Thompson and Victors were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious Lord and Savior,  
Thank You for Your faithfulness  
and Your mercies which are new every morning.  
With all that needs to be done yet in this chamber,  
we would be remiss if we didn't stop to  
acknowledge all our law enforcement officers  
who literally put their lives on the line  
for our safety and freedoms.  
We pause to remember those who have given their lives  
in the line of duty.  
Thank You for each man and woman who serve us in this capacity.  
Continue to be with our leaders today  
as they discuss the hot topics.  
Again, I ask that You impart Your wisdom to them,  
and through the diversity of opinion and philosophy,  
bring unity in their decision making.  
Please be with Representative Estes and Renae  
in the death of her father.  
Watch over her while she in Oklahoma  
and bring peace to the family  
in this time of loss.  
This I pray in Your Name,  
Amen.

The Pledge of Allegiance was led by Rep. Billinger.

## MESSAGES FROM THE GOVERNOR

**S Sub for HB 2042, S Sub for HB 2043, HB 2051, HB 2097, HB 2111, HB 2240, HB 2391** approved on May 14, 2015.

**COMMUNICATIONS FROM STATE OFFICERS**

From Ruth Glover, Executive Director, Kansas Human Rights Commission, in accordance with K.S.A. 44-1004, Kansas Human Rights Commission Annual Report Fiscal Year 2014.

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

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **H Sub for SB 91**.

The Senate adopts the Conference Committee report on **S Sub for HB 2095**.

The Senate adopts the Conference Committee report on **S Sub for Sub for HB 2170**.

The Senate adopts the Conference Committee report on **HB 2395**.

Announcing passage of **SB 48**.

Announcing passage of **HB 2223**, as amended; **HB 2331**, as amended; **HB 2352**, as amended.

Also, announcing passage of **HB 2074**, as amended by **S Sub for HB 2074**.

The Senate announced the appointment of Senator Pyle to replace Senator **Love** as a conferee on **HB 2364**.

The Senate announced the appointment of Senator Fitzgerald to replace Senator Kerschen as a conferee on **HB 2364**.

The Senate announced the appointment of Senator Faust-Goudeau to replace Senator Francisco as a conferee on **HB 2364**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was thereupon introduced and read by title:

**SB 48**

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 113**, **H Sub for SB 270**.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 113** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

JOHN E. BARKER  
CHARLES MACHEERS  
*Conferees on part of House*

JEFF KING  
GREG SMITH  
*Conferees on part of Senate*

On motion of Rep. Macheers the conference committee report on **SB 113** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Carmichael as second conferees on the part of the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwab in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report, as follows, was adopted:

Recommended that pursuant to House Rule 2311, Rep. Vickrey moved that House Rule 1704 be suspended for the purpose of allowing Reps. Kleeb, Rhoades, Wolf Moore and Whipple to speak more than twice on **H Sub for SB 270**. The motion prevailed.

Committee report recommending a substitute bill to **H Sub for SB 270** be adopted; also, on motion of Rep. Kleeb be amended on page 24, in line 12, by striking "15.516%" and inserting "15.720%"; in line 14, by striking "rate" and inserting "rates"; also in line 14, after "6.85%" by inserting "and 5.90%"; in line 18, by striking "15.385%" and inserting "15.607%"; in line 19, by striking "rate" and inserting "rates"; also in line 19, after "6.85%" by inserting "and 5.90%";

On page 26, in line 2, after "6.85%" by inserting ", except that such rate shall be 5.90% upon food and food ingredients, as defined by K.S.A. 79-3602, and amendments thereto";

On page 27, in line 25, by striking "15.516%" and inserting "15.720%"; in line 27, by striking "rate" and inserting "rates"; also in line 27, after "6.85%" by inserting "and 5.90%"; in line 31, by striking ""15.385%" and inserting "15.607%"; in line 32, by striking "rate" and inserting "rates"; also in line 32, after "6.85%" by inserting "and 5.90%"

Also, on motion of Rep. Sutton to amend **H Sub for SB 270**, the motion did not prevail.

Also, on motion of Rep. Rubin to amend **H Sub for SB 270**, the motion did not prevail.

Also, on motion of Rep. McPherson to re-refer **H Sub for SB 270** to Committee on Taxation, the motion did not prevail.

Also, the motion to recommend the bill favorably for passage did not prevail.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2095** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Amended by Senate Committee of the Whole, as follows:

On page 4, in line 15, after the comma by inserting "or \$25,000 or more in any one calendar year between July 1, 2016, and July 1, 2021,";

On page 6, in line 18, after the period by inserting "The provisions of this subsection shall apply to members of the legislature.";

On page 8, in line 33, by striking "the effective date of this act" and inserting "May 28, 2009";

On page 9, in line 41, by striking "(5)" and inserting "(7)"; in line 42, after "thereto" by inserting ", which relate to a compensation limitation which when met or exceeded requires that the retirant not receive a retirement benefit for any month for which such retirant serves in a position as described herein";

On page 11, in line 11, after the period by inserting "Such retirant may be employed by such employer for some or all of a school year, and in subsequent school years if the employer is unable to permanently fill the position with active members, so long as the retirant's total term of employment with all employers under this subsection does not exceed 36 months or three school years, whichever is less."; in line 12, by striking "(5)" and inserting "(7)"; also in line 12, after "thereto" by inserting ", which relate to a compensation limitation which when met or exceeded requires that the retirant not receive a retirement benefit for any month for which such retirant serves in a position as described herein"; following line 43, by inserting:

"New Sec. 4. (a) The provisions of sections 4 through 11, and amendments thereto, shall be known and may be cited as the Kansas deferred retirement option program act, and shall be effective on and after January 1, 2016.

(b) The provisions of this act shall be part of and supplemental to the provisions of K.S.A. 74-4901 et seq., and amendments thereto, subject to the limitations contained in this act.

New Sec. 5. (a) As used in this act, unless otherwise provided or the context otherwise requires:

- (1) "Act" means the Kansas deferred retirement option program act;
- (2) "board" means the board of trustees of the Kansas public employees retirement system;
- (3) "DROP" means the deferred retirement option program established by section 6, and amendments thereto;
- (4) "DROP account" means the notional account to which is credited the monthly DROP accrual;
- (5) "DROP period" means the period of time that a member irrevocably elects to participate in the DROP pursuant to section 7, and amendments thereto;
- (6) "member" means a trooper, examiner or officer of the Kansas highway patrol who is eligible to participate in the DROP and who elects to participate in the DROP as provided in this act;
- (7) "monthly DROP accrual" means the amount equal to the monthly retirement benefit that would have been payable to the member had the member terminated service and retired on the day the member elected; and
- (8) "system" means the Kansas police and firemen's retirement system.

(b) Unless specifically provided in this section or in this act, words and phrases used in this act shall have the meanings ascribed to them as provided under the provisions of K.S.A. 74-4901 et seq. and K.S.A. 74-4951 et seq., and amendments thereto.

New Sec. 6. (a) The board shall establish within the Kansas police and firemen's retirement system a deferred retirement option program for members. The board shall administer the DROP in compliance with the federal internal revenue code and applicable treasury regulations, including, but not limited to, the incidental benefit and



required minimum distribution requirements of section 401(a)(9) of the federal internal revenue code.

(b) The board shall establish a DROP account for each member. Each DROP account shall be credited annually with interest as provided in this subsection. Interest may only be credited in a year in which the actual rate of return on the market value on the investments of the DROP reach the system's assumed investment rate of return. Such interest credit may not exceed 50% of the actual rate of return, and such interest credit shall not exceed 3%.

New Sec. 7. (a) (1) A member who is appointed or employed prior to July 1, 1989, and who did not make an election pursuant to K.S.A. 74-4955a, and amendments thereto, may elect to participate in the DROP by making application in such form prescribed by the system at the attainment of age 55 and the completion of 20 years of credited service or at the completion of 32 years of credited service regardless of the age of such member.

(2) A member who is appointed or employed on or after July 1, 1989, or who made an election pursuant to K.S.A. 74-4955a, and amendments thereto, may elect to participate in the DROP by making application in such form prescribed by the system at the attainment of age 55 and the completion of 20 years of credited service, age 50 and the completion of 25 years of credited service or age 60 with the completion of 15 years of credited service.

(b) A member shall indicate on the application the DROP period such member wishes to participate in the DROP. A member may elect to participate in the DROP for a minimum of three years and may not participate for more than five years from the effective date of the election to participate in the DROP. A member may participate in the DROP only once. An election under this section is a one-time irrevocable election. Once the application is accepted by the system, such member becomes a DROP participant. If a member fails to participate in the DROP for a minimum of three years, all of the member's interest credits shall be forfeited, unless such member retires due to disability as defined in K.S.A. 74-4952, and amendments thereto. A member who remains in active service at the expiration of the member's elected DROP period shall not be eligible for any additional interest credits.

(c) A member who makes an election under this section shall continue in the active service under the Kansas police and firemen's retirement system but shall not earn service credit under K.S.A. 74-4951 et seq., and amendments thereto, after the election's effective date. On and after the effective date of the member's election to participate, such member is ineligible to purchase service credit under K.S.A. 74-4901 et seq., and amendments thereto.

(d) Participation in the DROP by a member does not guarantee continued employment. During a member's participation in the DROP, employer contributions under K.S.A. 74-4967, and amendments thereto, and member contributions under K.S.A. 74-4965, and amendments thereto, shall be made to the retirement system. No member or employer contributions shall be applied to a member's DROP account.

New Sec. 8. (a) For each DROP member, the board shall calculate a monthly DROP accrual. The system shall determine the DROP member's retirement benefit under K.S.A. 74-4958 or 74-4958a, and amendments thereto. In determining the retirement benefit, the system shall use the member's total service credit and final average salary as of the last day of the employer's payroll period immediately prior to

the effective date of the member's election to participate in the DROP. Before entering the DROP, a member may elect to have such member's retirement benefit determined under one of the options provided in K.S.A. 74-4964 or 74-4964a, and amendments thereto, in lieu of having it determined in the form stated in K.S.A. 74-4958 or 74-4958a, and amendments thereto, except such member may not elect the lump sum payment option. During the DROP period, an amount equal to the monthly DROP accrual shall be credited to the member's DROP account. The calculation of the monthly DROP accrual will be calculated using the member's age and, if the member elected a joint and survivor option, the age of the beneficiary as of the calendar year which contains the beginning of the DROP period. The monthly DROP accrual shall comply with the requirements of section 401(a)(9) of the federal internal revenue code and treasury regulation § 1.401(a)9-6, Q&A-2(c).

(b) A member shall not receive a monthly retirement benefit, as calculated pursuant to K.S.A. 74-4958 or 74-4958a, and amendments thereto, until termination of such member's DROP participation and commencement of retirement. A DROP member shall not have any claim to any funds in such member's DROP account until such member retires at the termination of such member's DROP participation. Upon terminating DROP participation, a member is entitled to such member's retirement benefit, including any postretirement benefit adjustment for which the member is eligible.

New Sec. 9. (a) A member's participation in the DROP ceases on the occurrence of the earliest of the following:

- (1) Termination of the member's active service with the Kansas highway patrol;
- (2) the last day of the member's elected DROP period that begins on the effective date of the member's election to participate in the DROP;
- (3) retirement due to disability as defined in K.S.A. 74-4952, and amendments thereto; or
- (4) the member's death.

(b) If a member dies before taking a distribution from such member's DROP account, the member's designated beneficiary shall receive a lump-sum payment equal to the member's DROP account balance. If the DROP member has not named a beneficiary for such member's DROP account, the amount in the DROP account shall be paid to the beneficiary of the member's retirement benefit.

New Sec. 10. (a) A member, who satisfies the requirements of this act, shall be entitled to a distribution of such member's DROP account. Such distribution may be through any combination of the following payout options, each of which is subject to the applicable provisions of the federal internal revenue code and the applicable regulations of the internal revenue service:

- (1) A direct rollover to an eligible retirement plan; or
  - (2) a lump-sum distribution.
- (b) The board may specify minimum account balances for purposes of allowing benefit payment options and rollovers in accordance with federal law.

New Sec. 11. The provisions of sections 4 through 11, and amendments thereto, shall expire on January 1, 2020.;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "system" by inserting "and systems thereunder"; in line 4, after the semicolon by inserting "enacting the Kansas deferred

retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; relating to member election; Kansas highway patrol affiliation; interest credits; account distribution;"

And your committee on conference recommends the adoption of this report.

JEFF KING  
JEFF LONGBINE  
LAURA KELLY  
*Conferees on part of Senate*

STEVEN C. JOHNSON  
KENT THOMPSON  
ED TRIMMER  
*Conferees on part of House*

On motion of Rep. Johnson, the conference committee report on **S Sub for HB 2095** was adopted.

On roll call, the vote was: Yeas 97; Nays 22; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Clark, Clayton, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Whipple, Whitmer, Williams, Wolfe Moore.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Carmichael, Curtis, Ewy, Finney, Frownfelter, Henderson, Henry, Highberger, Houston, Lane, Ruiz, Swanson, Tietze, Trimmer, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Claeys, Concannon, K. Jones, Sawyer, Thompson, Victors.

## REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 278** be passed.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 95**, by Representative Roderick Houston, congratulating Mrs. Armelia Chaney in recognition of her 80<sup>th</sup> birthday and 35 years of community and ecumenical service to the Wichita community;

**Request No. 96**, by Representative John Bradford, commendations to John Reichley in recognition for over 30 years of service as a columnist for the Leavenworth Times;

**Request No. 97**, by Representative Sydney Carlin, congratulating Manhattan High School Debate Team in recognition for winning the Class 6A State Debate Championship;

**Request No. 98**, by Representative Sydney Carlin, congratulating Manhattan High School Forensics Team in recognition for winning the Class 6A State Forensic Championship;

**Request No. 99**, by Representative Ken Corbet, congratulating Tambour Bieker for achievement of Eagle Scout;

**Request No. 100**, by Representative Bill Sutton, commending Ramon Ayala in recognition for his Honor Flight to Washington, D.C. and his years of service to our country in the United State Navy;

**Request No. 101**, by Representative Rick Billinger, congratulating St. Francis Academic Bowl Team, Saint Francis, Kansas in recognition for an exceptional 1<sup>st</sup> year;

**Request No. 102**, by Representative Jene Vickrey, congratulating Jake Ross in recognition of his 80<sup>th</sup> birthday;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

#### **REPORT ON ENROLLED BILLS**

**S Sub for HB 2149, S Sub for HB 2155, HB 2256** reported correctly enrolled, properly signed and presented to the Governor on May 15, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, May 18, 2015.

# Journal of the House

## SIXTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, May 18, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 116 members present.

Reps. Brunk, Carlin, Estes, Goico, Hawkins, Kahrs, Kelley, Pauls and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious and loving God,  
Thank You for this new day and new week.  
Here we are again,  
looking to You for guidance and direction.  
Help our leaders to take hope in Your Word  
found in Proverbs:  
“To humans belong the plans of the heart,  
but from the Lord comes the proper answer of the tongue.  
All a person’s ways seem pure to them,  
but motives are weighed by the Lord.  
Commit to the Lord whatever you do,  
and he will establish your plans.”  
I ask that our leaders look to You  
for Your plan for this budget/tax issue.  
In Your Son’s Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Anthimides.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **SB 48**.

### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 113**, and has appointed Senators King, Smith and Petty as second conferees on the part of the Senate.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2433**, AN ACT concerning taxation; relating to income tax, itemized deductions; amending K.S.A. 2014 Supp. 79-32,120 and repealing the existing section, by Committee on Taxation.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolutions were introduced and read by title:

HOUSE RESOLUTION No. **HR 6026**—  
By Representatives Boldra and Goico

**HR 6026**-- A RESOLUTION urging the United States Congress to enact and the President of the United States to sign 2015 Senate Bill S. 901, the Toxic Exposure Research Act of 2015, into law.

WHEREAS, Over the years, millions have served our great nation in the armed forces of the United States. During their service, many have been exposed to toxins with unknown consequences. Most of these veterans did not know they were exposed to harmful materials and as a result, suffered from the harmful effects of such toxins; and

WHEREAS, Many children and grandchildren of these veterans were born with both structural and nonstructural defects. Some have been accepted for treatment by the United States Department of Veterans Affairs as a result of the toxic exposure associated with their parent's service; and

WHEREAS, Birth anomalies in the children of veterans are not tracked as normal birth defects, so the majority of such birth anomalies are unreported, unexplained and not researched; and

WHEREAS, Most states that have birth defect registries do not report to a national birth defect registry. Miscarriages and stillbirths are seldom researched for cause and are not tracked on a national registry. Even infant mortality and birth defects of the children of dependents are not tracked or put into a federal registry; and

WHEREAS, The United States Department of Veterans Affairs and the United States Department of Defense have been tracking toxic exposures and possible exposures without follow-up research on the veterans and their offspring. 2015 Senate Bill S. 901 would require the United States Secretary of Defense and the United States Secretary of Veterans Affairs to share data regarding toxic exposures; and

WHEREAS, Parents of children with birth defects carry a heavy emotional and financial burden. Veterans exposed to Agent Orange and its toxic contaminants have reported a variety of serious health problems and symptoms, which include cancers and

birth defects in children. The number of Vietnam veterans who have children and grandchildren with birth defects related to exposure to Agent Orange are significant. The research of such birth defects is important for purposes of proper diagnosis, treatment and care of veterans and their families; and

WHEREAS, 2015 Senate Bill S. 901 would create a national center within the United States Department of Veterans Affairs for the research and the diagnosis of health conditions of the descendants of veterans exposed to toxic substances during their service in the armed forces of the United States. This national center would be monitored by a board of advisors charged with oversight and assessment of the national center. 2015 Senate Bill S. 901 would also create a database of birth defects and anomalies, both structural and nonstructural: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we urge the United States Congress to enact and the President of the United States to sign 2015 Senate Bill S. 901, the Toxic Exposure Research Act of 2015, into law; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the President of the United States and each member of the Kansas Congressional Delegation.

HOUSE RESOLUTION No. **HR 6027**—

By Representative O'Brien

**HR 6027**—A RESOLUTION commending family caregivers in Kansas for their service and commitment to improving lives.

A RESOLUTION commending family caregivers in Kansas for their service and commitment to improving lives.

WHEREAS, Family caregivers are unpaid relatives, partners, friends and neighbors who selflessly provide assistance to older adults and adults with chronic or disabling conditions. Family caregivers assist with such tasks as transportation, shopping, medication management and other daily activities; and

WHEREAS, Family caregivers make sacrifices in their personal and professional lives to assist and improve the lives of others; and

WHEREAS, In one year, over 600,000 family caregivers in Kansas provided four million hours of care estimated at \$4.1 billion in value; and

WHEREAS, Older adults who need assistance with activities of daily living often want to remain in their homes and communities, and family caregivers enable them to do so; and

WHEREAS, Providing services and support to older adults in their homes and communities is generally much less expensive than nursing home care, and older adults who receive services from family caregivers are less likely to need public assistance; and

WHEREAS, One in every eight Medicare beneficiaries who leaves the hospital is readmitted within 30 days, often due to avoidable complications. Family caregivers improve the transition from the hospital to home and community-based care and reduce the rate of hospital readmissions; Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commend family caregivers in Kansas for their service, sacrifice and commitment to improving the lives of others; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative O'Brien.

### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for Sub HB 2170**.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2170** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for Substitute for House Bill No. 2170, as follows:

On page 2, in line 6, after the period by inserting "Violent"; in line 11, by striking all after "(b)"; by striking all in lines 12 through 17; in line 18, by striking all before the period and inserting "A student shall not be subjected to seclusion if the student is known to have a medical condition that could put the student in mental or physical danger as a result of seclusion. The existence of such medical condition must be indicated in a written statement from the student's licensed health care provider, a copy of which shall be provided to the school and placed in the student's file";

On page 3, in line 2, after the period by inserting "Upon the first occurrence of an incident involving the use of emergency safety interventions,"; in line 3, by striking the first "may" and inserting "shall"; also in line 3, by striking "or may" and inserting ", and upon the occurrence of a second or subsequent incident shall"; in line 4, after "a" by inserting "full"; in line 6, after the comma by inserting "rules and regulations adopted pursuant thereto or policies of the school district,"; in line 20, after "(2)" by inserting "the number of incidents in which emergency safety interventions were used on students who have a section 504 plan;

(3)";

Also on page 3, in line 22, after "program" by inserting "or a section 504 plan"; following line 24, by inserting:

"(5) the total number of students with behavior intervention plans subjected to an emergency safety intervention;

(6) the number of students physically restrained;

(7) the number of students placed in seclusion,";

Also on page 3, in line 28, by striking "and"; following line 28, by inserting:

"(10) the information reported under subsection (c)(1) through (c)(3) reported by school to the extent possible;

(11) the information reported under subsections (c)(1) through (c)(9) aggregated by age and ethnicity of the students on a statewide basis; and";

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

On page 4, in line 21, by striking "January" and inserting "March"; in line 22, after the period by inserting "Such rules and regulations shall include, but not be limited to, the standards for the use and reporting of emergency safety interventions as provided in sections 2 through 5, and amendments thereto."; in line 24, by striking "15" and



inserting "17"; following line 38, by inserting:

"(7) two members shall be appointed by the executive director of the Kansas council on developmental disabilities, one of which shall be a parent of a child with a disability;"

Also on page 4, in line 41, by striking "Kansas medical society" and inserting "center for child health and development of the university of Kansas medical center"; in line 42, after "Kansas" by inserting "who is a practicing physician with experience treating and diagnosing individuals with disabilities, but who is not a staff member of the center for child health and development of the university of Kansas medical center";

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

On page 5, in line 21, by striking "2017" and inserting "2018"; in line 23, by striking "statute book" and inserting "Kansas register";

And your committee on conference recommends the adoption of this report.

STEVE E. ABRAMS

TOM ARPKE

ANTHONY HENSLEY

*Conferees on part of Senate*

CONNIE O'BRIEN

JOHN J. RUBIN

PONKA-WE VICTORS

*Conferees on part of House*

On motion of Rep. O'Brien, the conference committee report on **S Sub for Sub HB 2170** was adopted.

On roll call, the vote was: Yeas 111; Nays 1; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Burroughs, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Seiwert, Sloan, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Smith.

Present but not voting: None.

Absent or not voting: Bridges, Brunk, Campbell, Carlin, Estes, Goico, Hawkins, Kahrs, Kelley, Kiegerl, Pauls, Schwab, Suellentrop.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2395** submits the following report:

The Senate recedes from all of its amendments to the bill.

And your committee on conference recommends the adoption of this report.

TY MASTERSON

JIM DENNING

LAURA KELLY

*Conferees on part of Senate*

MARK HUTTON

LES MASON

STAN FROWNFEILER

*Conferees on part of House*

On motion of Rep. Hutton, the conference committee report on **HB 2395** was adopted.

On roll call, the vote was: Yeas 110; Nays 4; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Bridges, Burroughs, Ward, Winn.

Present but not voting: None.

Absent or not voting: Brunk, Campbell, Carlin, Estes, Goico, Hawkins, Kahrs, Kelley, Pauls, Schwab, Suellentrop.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2434**, AN ACT concerning income taxation; relating to determination of income; addition modifications; subtraction modifications, business income; treatment of passive income; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing

section, by Committee on Taxation.

#### **BILL RULED MATERIALLY CHANGED**

Speaker pro tem Mast announced that in accordance with House Rule 2107, the Senate amendments to **S Sub for HB 2074** do materially change its subject and therefore is not subject to Motions to Concur and Nonconcur.

**S Sub for HB 2074** was thereupon introduced and read by title

Speaker pro tem Mast thereupon referred **S Sub for HB 2074** to Committee on Calendar and Printing.

#### **COMMITTEE ASSIGNMENT CHANGE**

Speaker pro tem Mast announced the appointment of Rep. Burroughs to replace Rep. Whipple on Committee on Taxation for May 18 only.

#### **REPORT ON ENGROSSED BILLS**

**HB 2106, Sub HB 2159** reported correctly engrossed May 15, 2015.

**HB 2154, HB 2233** reported correctly re-engrossed on May 15, 2015.

**S Sub for HB 2095** reported correctly engrossed May 18, 2015.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6024** reported correctly enrolled and properly signed on May 18, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, May 19, 2015.

# Journal of the House

SIXTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, May 19, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Reps. Goico, Hawkins and Read were excused on excused absence by the Speaker.

Present later: Rep. Goico.

Prayer by Chaplain Brubaker:

God in Heaven,  
Thank You again for this beautiful day  
in which you have given us to steward wisely.  
As the gavel sounds and business begins,  
grant each one the patience of cooperation,  
clarity of thought, and courage for truth.  
It is Your creative, redemptive spirit  
that unites us all no matter of the  
political persuasions, personal bias, or cultural creed.  
Help these leaders as they seek a common good  
grounded in compassion, gratitude and generosity.  
Help this common good to be found in our  
conversations, deliberations and achievements.  
This I pray in Your name,  
Amen.

The Pledge of Allegiance was led by Rep. W. Carpenter.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Taxation: **HB 2433**, **HB 2434**.

Veterans, Military and Homeland Security: **HR 6026**.

## MESSAGES FROM THE GOVERNOR

**HB 2061** approved on May 18, 2015.

*Message to the House of Representatives of the State of Kansas:*

I firmly believe that protecting individual property rights is fundamental to

preserving liberty and freedom. By signing this bill, the Kansas Department of Agriculture will have the ability to work with local watershed authorities to establish and manage watershed easements while private property rights are preserved. The state of Kansas will not own more private land under this law. Rather, the State will merely hold the easements which will remain under the control and management of the original property-owner. Meanwhile, the Department of Agriculture will continue to work with federal authorities to eliminate the regulations which necessitate this legislation.

Onerous federal regulations have been inconsistently applied across the nation. By signing House Bill 2061 into law, the Kansas Department of Agriculture will be empowered to hold easements as a third party, at a much lower cost by allowing the local watershed districts to manage the easement. This bill does not interfere with the ability of private industry and nonprofit organizations to possess the same legal authority to purchase and maintain conservation easements. It is my hope that private entities and non-profit organizations will continue to work with local authorities to conserve our natural resources.

In signing this bill, we will better equip the Department of Agriculture to find a Kansas solution that removes burdensome regulations from local organizations and conservation efforts.

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return **HB 2061** with my signature approving the bill.

SAM BROWNBACK  
*Governor*

Dated: May 18, 2015

## **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2223, HB 2331, HB 2352, SB 101**.

## **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Brunk, the House nonconcurred in Senate amendments to **HB 2223** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Brunk, Couture-Lovelady and Tietze as conferees on the part of the House.

On motion of Rep. Brunk to nonconcur in Senate amendments to **HB 2331**, Rep. Hildabrand offered a substitute motion to concur. The substitute motion was subsequently withdrawn.

The question reverted back to the original motion of Rep. Brunk to nonconcur in Senate amendments to **HB 2331** and a conference committee be appointed. The motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Brunk, Couture-Lovelady and Tietze as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurred in Senate amendments to **HB 2352** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwab, Bruchman and Houston as conferees on the part of the House.

**CHANGE OF CONFEREES**

Speaker pro tem Mast announced the appointment of Reps. Huebert, Phillips and Alcalá as members of the conference committee on **HB 2364** to replace Reps. Schwartz, Boldra and Victors.

The House stood at ease until the sound of the gavel.

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Speaker pro tem Mast called the House to order.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 101** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 7 through 34;

By striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 27; following line 27, by inserting:

"New Section 1. (a) Consistent with the limitations of K.S.A. 50-704, and amendments thereto, the TNC shall not permit an individual to act as a driver on its digital network who:

(1) Has been convicted of:

(A) Any person felony as described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto;

(B) any sex offense as described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to its repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2014 Supp. 21-6419 through 21-6422, and amendments thereto;

(C) identity theft, as described in K.S.A. 21-4018, prior to its repeal, or K.S.A. 2014 Supp. 21-6107, and amendments thereto;

(D) any attempt, conspiracy or solicitation of any crime described in this paragraph; or

(E) a crime under the law of another jurisdiction which is substantially the same as the crimes described in this paragraph;

(2) is registered on the national sex offender registry, the Kansas offender registry or any similar registry of any other jurisdiction;

(3) has had a combined total of more than three moving violations in Kansas or any other jurisdiction within the past three years;

(4) has had a traffic violation in Kansas or any other jurisdiction within the past three years of attempting to evade the police, reckless driving or driving on a suspended license;

(5) has been convicted, adjudicated or placed on diversion, within the past seven years, of:

(A) Driving under the influence of drugs or alcohol in Kansas or any other

jurisdiction;

(B) any crime involving controlled substances, as described in K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any violation of any provision of the uniform controlled substances act prior to July 1, 2009;

(C) theft, as described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto;

(D) any crime involving fraud, dishonesty or deceit, as described by the Kansas criminal code;

(E) any attempt, conspiracy or solicitation of any crime described in this subsection; or

(F) a violation of the law or ordinance of another jurisdiction, including any municipality, which is substantially the same as the crimes described in this subsection;

(6) does not possess a valid driver's license;

(7) does not possess proof of registration for the motor vehicle or motor vehicles used to provide a prearranged ride;

(8) does not possess proof of automobile liability insurance for the personal vehicle or personal vehicles used to provide a prearranged ride; or

(9) is not at least 19 years of age.

(b) The provisions of this section shall be a part of and supplemental to the Kansas transportation network company services act.

Sec. 2. Section 2 of 2015 House Substitute for Senate Bill No. 117 is hereby amended to read as follows: Sec. 2. Except as otherwise provided, as used in the Kansas transportation network company services act:

(a) "Act" means the Kansas transportation network company services act.

(b) "Digital network" means any online-enabled application, software, website or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers.

(c) "Personal vehicle" means a vehicle that is used by a transportation network company driver in connection with providing a prearranged ride and is:

(1) Owned, leased or otherwise authorized for use by the transportation network company driver; and

(2) not a taxicab, limousine or for-hire vehicle.

(d) "Prearranged ride" means the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A "prearranged ride" does not include transportation provided using a taxi, limousine or other for-hire vehicle.

(e) "Transportation network company" or "TNC" means a corporation, partnership, sole proprietorship or other entity ~~that is licensed pursuant to this act and~~ operating in Kansas that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract.

(f) "Transportation network company driver" or "driver" means an individual who:

(1) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(2) uses a personal vehicle to provide services for riders matched through a digital network controlled by a transportation network company and receives, in exchange for providing the passenger a ride, compensation that exceeds the individual's cost to provide the ride.

(g) "Transportation network company rider" or "rider" means an individual or persons who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

(h) "Vehicle owner" means the owner of a personal vehicle.

Sec. 3. Section 12 of 2015 House Substitute for Senate Bill No. 117 is hereby amended to read as follows: Sec. 12. ~~(a)~~ Prior to permitting an individual to act as a driver on its digital network, the TNC shall:

~~(1)~~ (a) Require the individual to submit an application to the TNC, which includes information regarding the applicant's address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance and other information required by the TNC; and

~~(2) obtain a local and national criminal background check on the individual, conducted by the Kansas bureau of investigation;~~

~~(A) fingerprints submitted pursuant to this section shall be released by the attorney general to the Kansas bureau of investigation for the purpose of conducting criminal history records checks, utilizing the files and records of the Kansas bureau of investigation and the federal bureau of investigation; and~~

~~(B) each individual shall be subject to a state and national criminal history records check which conforms to applicable federal standards for the purpose of verifying the identity of the individual and whether the individual has been convicted of any crime that would disqualify the individual from being a transportation network driver under this act;~~

~~(3)~~ (b) obtain and review a driving history research report for such individual; and

~~(4) require the individual, if such individual's personal vehicle is subject to a lien, to provide proof of comprehensive and collision insurance coverage for such personal vehicle that covers the period when the individual is logged on to a TNC's digital network but not engaged in a prearranged ride and when the individual is engaged in a prearranged ride to the lien holder of such personal vehicle and to the TNC.~~

~~(b) The TNC shall not permit an individual to act as a driver on its digital network who:~~

~~(1) Has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period, including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;~~

~~(2) has been convicted, within the past seven years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, or theft, acts of violence, or acts of terror;~~

~~(3) is a match in the national sex offender registry database;~~

~~(4) does not possess a valid driver's license;~~

~~(5) does not possess proof of registration for the motor vehicle or motor vehicles~~



~~used to provide a prearranged ride;~~

~~(6) does not possess proof of automobile liability insurance for the personal vehicle or personal vehicles used to provide a prearranged ride; or~~

~~(7) is not at least 19 years of age.~~

Sec. 4. Section 19 of 2015 House Substitute for Senate Bill No. 117 is hereby amended to read as follows: Sec. 19. (a) A TNC shall disclose prominently, with a separate acknowledgment of acceptance, to its TNC drivers in the prospective TNC drivers' written terms of service the following before the drivers are allowed to accept a request for TNC services on the TNC's digital network or software application:

"If the vehicle that you plan to use to provide transportation network company services has a lien against it, using the vehicle for transportation network company services may violate the terms of your contract with the lienholder. If you are required by agreement with the lienholder to maintain comprehensive and collision insurance on the vehicle, using the vehicle for TNC services without such insurance coverage may violate your legal obligation to the lienholder under Kansas law."

(b) If a TNC's insurer makes a payment for a claim covered under comprehensive coverage or collision coverage, the TNC shall cause its insurer to issue the payment directly to the business repairing the vehicle or jointly to the owner of the vehicle and the primary lienholder on the covered vehicle. ~~The commission shall not assess any fines as a result of a violation of this subsection.~~

(c) If the vehicle used by a transportation network driver is subject to a lien and the lienholder requires comprehensive and collision insurance in its agreement, the transportation network driver shall ensure that comprehensive and collision insurance that covers the periods when the transportation network driver is logged on to a TNC's digital network but not engaged in a prearranged ride and when the transportation network driver is engaged in a prearranged ride is in effect.

(d) This section shall take effect on and after January 1, 2016.

Sec. 5. Sections 2, 12 and 19 of 2015 House Substitute for Senate Bill No. 117 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 and 3; in line 4, by striking all before the period and inserting "the Kansas transportation network company services act; relating to certain definitions; relating to transportation network company requirements; relating to transportation network company drivers; relating to liens on personal vehicles; amending sections 2, 12 and 19 of 2015 House Substitute for Senate Bill No. 117 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

SCOTT SCHWAB  
ROB BRUCHMAN  
RODERICK HOUSTON  
*Conferees on part of House*

JEFF LONGBINE  
ELAINE BOWERS  
LAURA KELLY  
*Conferees on part of Senate*

On motion of Rep. Schwab, the conference committee report on **SB 101** was adopted.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Edmonds, Kiegerl, Thimesch.

Present but not voting: None.

Absent or not voting: Goico, Hawkins, Read.

#### **COMMITTEE ASSIGNMENT CHANGE**

Speaker pro tem Mast announced the appointment of Rep. Burroughs to replace Rep. Whipple on Committee on Taxation for May 19 only.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2435**, AN ACT concerning sales taxation; relating to exemptions; materials purchased by contractors to construct, equip, reconstruct, maintain, repair, enlarge, furnish or remodel public buildings; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

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

Speaker pro tem Mast announced the referral of **HB 2435** to Committee on Taxation.

#### **MESSAGES FROM THE GOVERNOR**

**S Sub for HB 2149**, **S Sub for HB 2155** approved on May 19, 2015

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **SB 101**.

The Senate adopts the Conference Committee report on **HB 2025**.

The Senate adopts the Conference Committee report on **HB 2055**.

The Senate adopts the Conference Committee report on **S Sub for HB 2124**.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2005**, and has appointed Senators Masterson, King and Kelly as second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2223** and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2331** and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2352** and has appointed Senators Longbine, Bowers and Hawk as conferees on the part of the Senate.

**REPORT ON ENGROSSED BILLS**

**HB 2395** reported correctly re-engrossed May 18, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, May 20, 2015.

# Journal of the House

SIXTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, May 20, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 121 members present.

Reps. Hawkins, Peck, Read and Whipple were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God our Provider,  
This day You have given us  
promises to be another long day  
with difficult decisions to be made.  
I pray for common sense,  
but then whose common sense?  
Some say it is common sense to come in out of the rain,  
while others say it is common sense to stay out  
and sing in the refreshing rains.  
Some say it is only common sense to save;  
others say it is common sense to give or spend.  
So rather than praying just for common sense,  
I pray that You give our leaders Your wisdom  
to see things as they are  
and not as they want or hope for them to be.  
Show them how to use what you have given them  
rather than letting them long for things  
they do not have or cannot use.  
Help them not to overlook the most common  
of people, places and things,  
but show them these people, places, and things are made by you,  
and given to them as an opportunity  
to do right and good and to let Your light shine.  
This I pray in Your Son's Name,  
Amen.

The Pledge of Allegiance was led by Rep. Highland.

## CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2319** from Committee on Appropriations and rereferral to Committee on Taxation.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 11**, **SB 34**.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 11** be passed over and retain a place on the calendar.

Roll call was demanded on motion of Rep. Jennings to amend **SB 34** on page 1, in line 29, after the semicolon by inserting "or"; in line 30, by striking "; or"; in line 31, by striking all before the period;

On roll call, the vote was: Yeas 60; Nays 61; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Johnson, Kelly, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Phillips, Proehl, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Sloan, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Williams, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Francis, Garber, Goico, Gonzalez, Grosserode, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Powell, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Hawkins, Peck, Read, Whipple.

The motion did not prevail.

Also, roll call was demanded on further motion of Rep. Jennings to amend **SB 34** on page 1, following line 36, by inserting:

"(c) This section shall take effect on and after January 1, 2019.";

On roll call, the vote was: Yeas 57; Nays 64; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Edmonds, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Patton,

Phillips, Proehl, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Sloan, Smith, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Nays: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Ewy, Francis, Garber, Goico, Gonzalez, Grosserode, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Powell, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Hawkins, Peck, Read, Whipple.

The motion did not prevail.

Also, roll call was demanded on motion of Rep. Ward to amend **SB 34** on page 1, in line 23, by striking all after "2."; by striking all in lines 24 through 36 and inserting "The secretary of state may refer such evidence as may be available concerning a violation of any act that constitutes a Kansas elections crime defined in K.S.A. 25-1128, and amendments thereto, or article 24 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, to the attorney general or the proper county or district attorney, who may in the prosecutor's discretion, with or without such a reference, institute appropriate criminal proceedings. Upon receipt of such reference, the attorney general or the county attorney or district attorney may request that a duly employed attorney of the secretary of state prosecute or assist in the prosecution of such violation or violations on behalf of the state. Upon approval of the secretary of state, such employee shall be appointed a special prosecutor for the attorney general or the county attorney or district attorney to serve without compensation from the attorney general or the county attorney or district attorney. Such special prosecutor shall have all the powers and duties prescribed by law for assistant attorneys general or assistant county or district attorneys and such other powers and duties as are lawfully delegated to such special prosecutor by the attorney general or the county attorney or district attorney.";

On roll call, the vote was: Yeas 46; Nays 75; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Doll, Edmonds, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Corbet, Davis, DeGraaf, Dierks, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Phillips, Powell, Proehl, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Hawkins, Peck, Read, Whipple.

The motion did not prevail.

Also, roll call was demanded on motion of Rep. Frownfelter to amend **SB 34** on page 2, by striking all in lines 40 through 43;

On page 3, by striking all in lines 1 through 6;

On page 4, in line 20, by striking "25-2409,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "25-2409,";

On roll call, the vote was: Yeas 34; Nays 86; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, Edmonds, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Ruiz, Ryckman Sr., Sawyer, Sloan, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Garber, Goico, Gonzalez, Grosserode, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Hawkins, Peck, Read, Schwab, Whipple.

The motion did not prevail.

Also, roll call was demanded on motion of Rep. Carmichael to amend **SB 34** on page 2, in line 2, by striking "knowingly" and inserting "intentionally"; in line 7, by striking "knowingly" and inserting "intentionally"; in line 16, by striking "knowingly" and inserting "intentionally"; in line 18, by striking "knowingly" and inserting "intentionally"; in line 25, by striking "knowingly" and inserting "intentionally"; in line 28, by striking "knowingly" and inserting "intentionally";

On page 3, in line 8, by striking "knowingly"; in line 9, before "voting" by inserting "intentionally";

On roll call, the vote was: Yeas 30; Nays 91; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Ballard, Becker, Bridges, Burroughs, Campbell, Carlin, Carmichael, Curtis, Edmonds, Finney, Frownfelter, Henderson, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb,

Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Hawkins, Peck, Read, Whipple.

The motion did not prevail.

Also, on further motion of Rep. Carmichael to amend **SB 34**, the motion did not prevail.

Also, roll call was demanded on motion to recommend **SB 34** favorably for passage.

On roll call, the vote was: Yeas 63; Nays 57; Present but not voting: 0; Absent or not voting: 5.

Yeas: Anthimides, Barker, Barton, Billinger, Bradford, Brunk, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Claeys, Corbet, DeGraaf, Dove, Esau, Estes, Ewy, Francis, Garber, Goico, Gonzalez, Grosserode, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Powell, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Ward, Whitmer, Williams.

Nays: Alcalá, Alford, Ballard, Becker, Boldra, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Edmonds, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Phillips, Proehl, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Sloan, Smith, Swanson, Thompson, Tietze, Trimmer, Victors, Waymaster, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Hawkins, Kleeb, Peck, Read, Whipple.

The motion to recommend **SB 34** favorably for passage prevailed.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2005** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

TY MASTERSON

JEFF KING

*Conferees on part of Senate*

RONALD RYCKMAN

JOHN E. BARKER

*Conferees on part of House*

On motion of Rep. Ryckman the conference committee report on **HB 2005** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Barker and Henry as



second conferees on the part of the House.

### REPORTS OF STANDING COMMITTEES

Committee on **Veterans, Military and Homeland Security** recommends **HR 6026** be amended on page 1, in line 25, after "901" by inserting "and 2015 House Bill. H.R. 1769"; in line 36, after "901" by inserting "and 2015 House Bill H.R. 1769";

On page 2, in line 6, after "901" by inserting "and 2015 House Bill H.R. 1769"; in line 10, after "901" by inserting "or 2015 House Bill H.R. 1769";

On page 1, in the title, in line 2, after "901" by inserting "or 2015 House Bill H.R. 1769"; and the resolution be adopted as amended.

### INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Carmichael moved that the House reconsider its action in recommending **SB 34** favorably for passage under that order of business, General Orders.

The motion did not prevail.

### COMMITTEE ASSIGNMENT CHANGE

Speaker pro tem Mast announced the appointment of Rep. Burroughs to replace Rep. Whipple on Committee on Taxation for May 20 only.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

### CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Rep. Macheers as a member of the conference committee on **HB 2135** to replace Rep. Schwartz.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, May 21, 2015.

# Journal of the House

SEVENTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, May 21, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 122 members present.

Reps. Henderson, Schwartz and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for Your faithfulness  
in watching over us yet another day.  
Many of us may be crying out with the Psalmist,  
“How long, O Lord...how long.”  
But it is these words of the Psalmist  
that I pray for our leaders today:  
“I will instruct you and teach you  
in the way you should go;  
I will counsel you and watch over you.  
Do not be like the horse or the mule,  
which have no understanding  
but must be controlled by bit and bridle.  
Be strong and take heart,  
all you who hope in the Lord.  
...the Lord’s unfailing love  
surrounds the one who trusts in Him.”  
In Christ’s Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Vickrey.

## COMMUNICATIONS FROM STATE OFFICERS

From Douglas A. Girod, M.D., Executive Vice Chancellor, The University of Kansas Medical Center, 2014 Annual Report.

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

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **HB 2003**.

The Senate adopts the Conference Committee report on **HB 2364**.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 34**, AN ACT concerning elections; relating to voting; penalties for voting crimes; prosecution of election crimes; amending K.S.A. 25-2409, 25-2416, 25-2423 and 25-2431 and K.S.A. 2014 Supp. 25-1128 and 25-2507 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 67; Nays 55; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Clacys, Corbet, DeGraaf, Dove, Esau, Estes, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Seiwert, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Whitmer, Williams.

Nays: Alcala, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Frownfelter, Gallagher, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Phillips, Proehl, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Smith, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henderson, Schwartz, Winn.

The bill passed.

**EXPLANATION OF VOTE**

MR. SPEAKER: I vote NO on **SB 34**. Granting prosecutorial authority to the Secretary of State is a mistake. The bill will greatly redefine the role of the Secretary of State from Chief Elections Officer to public prosecutor. Kansas has already vested the authority to prosecute voter fraud in county and district attorneys elected at the local level. Allowing the Secretary of State to overstep a locally elected leader's power impedes on local control.

Additionally, changing the law to allow candidates to bribe voters sets a dangerous precedent and is antithetical to our democracy. — SYDNEY CARLIN, CAROLYN L. BRIDGES, JOHN CARMICHAEL, BRODERICK HENDERSON, GAIL FINNEY, ANNIE TIETZE, KATHY WOLFE MOORE, VALDENIA C. WINN, NANCY LUSK, RODERICK HOUSTON, DENNIS HIGHBERGER, STAN FROWN FELTER, PAM CURTIS, PONKA-WE VICTORS, TOM SAWYER, ED TRIMMER, LOUIS RUIZ, JARROD OUSLEY, BRANDON WHIPPLE

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the

purpose of considering **HB 2025, HB 2055, S Sub for HB 2124.**

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2025** submits the following report:

The Senate recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as introduced, as follows:

On page 3, following line 26, by inserting:

"New Sec. 3. (a) For the purposes of this section:

(1) "Emergency services personnel" means any employee or volunteer of an emergency services provider who is engaged in providing or supporting firefighting, dispatching services and emergency medical services.

(2) "Emergency services provider" means any public employer that employs persons to provide firefighting, dispatching services and emergency medical services.

(3) "Employee assistance program" means a program established by a law enforcement agency or emergency services provider to provide professional counseling or support services to employees of a law enforcement agency, emergency services provider or a professional mental health provider associated with a peer support team.

(4) "Law enforcement agency" means any public agency that employs law enforcement officers.

(5) "Law enforcement personnel" means a law enforcement officer, as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto, an employee or volunteer of a law enforcement agency.

(6) "Peer support counseling session" means any session conducted by a peer support specialist that is called or requested in response to a critical incident or traumatic event involving the personnel of the law enforcement agency or emergency services provider.

(7) "Peer support specialist" is a person:

(A) Designated by a law enforcement agency, emergency services provider, employee assistance program or peer support team leader to lead, moderate or assist in a peer support counseling session;

(B) who is a member of a peer support team; and

(C) has received training in counseling and providing emotional and moral support to law enforcement officers or emergency services personnel who have been involved in emotionally traumatic incidents by reason of their employment.

(8) "Peer support team" means a group of peer support specialists serving one or more law enforcement providers or emergency services providers.

(b) Any communication made by a participant or peer support specialist in a peer support counseling session pursuant to this section, and any oral or written information conveyed in or as the result of the peer support counseling session, are confidential and may not be disclosed by any person participating in the peer support counseling session.

(c) Any communication relating to a peer support counseling session made confidential under subsection (b) that is made between peer support specialists, between peer support specialists and the supervisors or staff of an employee assistance program, or between the supervisors or staff of an employee assistance program, is confidential and may not be disclosed.

(d) The provisions of this section apply only to peer support counseling sessions conducted by a peer support specialist.

(e) (1) The provisions of this section apply to all oral communications, notes, records and reports arising out of a peer support counseling session.

(2) Any notes, records or reports arising out of a peer support counseling session shall not be public records and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2020, unless the legislature acts to reenact such provisions. The provisions of this paragraph shall be reviewed by the legislature prior to July 1, 2020.

(f) Any communication made by a participant or peer support specialist in a peer support counseling session subject to this section, and any oral or written information conveyed in a peer support counseling session subject to this section, are not admissible in any judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding. Communications and information made confidential under this section shall not be disclosed by the participants in any judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding. The limitations on disclosure imposed by this subsection include disclosure during any discovery conducted as part of an adjudicatory proceeding.

(g) Nothing in this section limits the discovery or introduction into evidence of knowledge acquired by any law enforcement personnel or emergency services personnel from observation made during the course of employment, or material or information acquired during the course of employment, that is otherwise subject to discovery or introduction into evidence.

(h) This section does not apply to any:

(1) Threat of suicide or criminal act made by a participant in a peer support counseling session, or any information conveyed in a peer support counseling session relating to a threat of suicide or criminal act;

(2) information relating to abuse of spouses, children or the elderly, or other information that is required to be reported by law;

(3) admission of criminal conduct;

(4) disclosure of testimony by a participant who received peer support counseling services and expressly consented to such disclosure; or

(5) disclosure of testimony by the surviving spouse or executor or administrator of the estate of a deceased participant who received peer support counseling services and such surviving spouse or executor or administrator expressly consented to such disclosure.

(i) This section does not prohibit any communications between peer support specialists who conduct peer support counseling sessions, or any communications between peer support specialists and the supervisors or staff of an employee assistance program.

(j) This section does not prohibit communications regarding fitness of an employee for duty between an employee assistance program and an employer.

(k) This section shall be part of and supplemental to article 4 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 4. K.S.A. 22-2202 is hereby amended to read as follows: 22-2202. ~~(+)~~ (a) "Appellate court" means the supreme court or court of appeals, depending on the context in which the term is used and the respective jurisdiction of those courts over appeals in criminal cases, as provided in K.S.A. 22-3601, and amendments thereto.

~~(2)~~ (b) "Appearance bond" means an agreement, with or without security, entered into by a person in custody by which the person is bound to comply with the conditions specified in the agreement.

~~(3)~~ (c) "Arraignment" means the formal act of calling the defendant before a court having jurisdiction to impose sentence for the offense charged, informing the defendant of the offense with which the defendant is charged, and asking the defendant whether the defendant is guilty or not guilty.

~~(4)~~ (d) "Arrest" means the taking of a person into custody in order that the person may be forthcoming to answer for the commission of a crime. The giving of a notice to appear is not an arrest.

~~(5)~~ (e) "Bail" means the security given for the purpose of insuring compliance with the terms of an appearance bond.

~~(6)~~ (f) "Bind over" means require a defendant to appear and answer before a district judge having jurisdiction to try the defendant for the felony with which the defendant is charged.

~~(7)~~ (g) "Charge" means a written statement presented to a court accusing a person of the commission of a crime and includes a complaint, information or indictment.

~~(8)~~ (h) "Complaint" means a written statement under oath of the essential facts constituting a crime, except that a citation or notice to appear issued by a law enforcement officer pursuant to and in compliance with K.S.A. 8-2106, and amendments thereto, or a citation or notice to appear issued pursuant to and in compliance with K.S.A. 32-1049, and amendments thereto, shall be deemed a valid complaint if it is signed by the law enforcement officer.

~~(9)~~ (i) "Custody" means the restraint of a person pursuant to an arrest or the order of a court or magistrate.

~~(10)~~ (j) "Detention" means the temporary restraint of a person by a law enforcement officer.

~~(11)~~ (k) "Indictment" means a written statement, presented by a grand jury to a court, which charges the commission of a crime.

~~(12)~~ (l) "Information" means a verified written statement signed by a county attorney or other authorized representative of the state of Kansas presented to a court, which charges the commission of a crime. An information verified upon information and belief by the county attorney or other authorized representative of the state of Kansas shall be sufficient.

~~(13)~~ (m) "Law enforcement officer" means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes court services officers, community corrections officers, parole officers and directors, security personnel and keepers of correctional institutions, jails or other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

~~(14)~~ (n) "Magistrate" means an officer having power to issue a warrant for the arrest of a person charged with a crime and includes justices of the supreme court, judges of the court of appeals and judges of district courts.

~~(15)~~ (o) "Notice to appear" means a written request, issued by a law enforcement officer, that a person appear before a designated court at a stated time and place.

~~(16)~~ (p) "Preliminary examination" means a hearing before a magistrate on a complaint or information to determine if a felony has been committed and if there is probable cause to believe that the person charged committed it.

~~(17)~~ (q) "Prosecuting attorney" means any attorney who is authorized by law to appear for and on behalf of the state of Kansas in a criminal case, and includes the attorney general, an assistant attorney general, the county or district attorney, an assistant county or district attorney and any special prosecutor whose appearance is approved by the court. In the case of prosecution for violation of a city ordinance, also, "prosecuting attorney" means the city attorney or any assistant city attorney.

~~(18)~~ (r) "Search warrant" means a written order made by a magistrate directed to a law enforcement officer commanding the officer to search the premises described in the search warrant and to seize property described or identified in the search warrant.

~~(19)~~ (s) "Summons" means a written order issued by a magistrate directing that a person appear before a designated court at a stated time and place and answer to a charge pending against the person.

~~(20)~~ (t) "Warrant" means a written order made by a magistrate directed to any law enforcement officer commanding the officer to arrest the person named or described in the warrant.";

Also on page 3, in line 27, before "K.S.A." by inserting "K.S.A. 22-2202 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "public safety; relating to peer support counseling sessions for emergency services personnel and law enforcement personnel"; in line 2, before "K.S.A." by inserting "K.S.A. 22-2202 and";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

PAT PETTEY

*Conferees on part of Senate*

JOHN E. BARKER

CHARLES MACHEERS

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Barker, the conference committee report on **HB 2025** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Oster-

man, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, Schwartz, Winn.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2055** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 11 through 34;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 9; following line 9 by inserting:

"Section 1. K.S.A. 2014 Supp. 21-5413 is hereby amended to read as follows: 21-5413. (a) Battery is:

(1) Knowingly or recklessly causing bodily harm to another person; or

(2) knowingly causing physical contact with another person when done in a rude, insulting or angry manner;.

(b) Aggravated battery is:

(1) (A) Knowingly causing great bodily harm to another person or disfigurement of another person;

(B) knowingly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(C) knowingly causing physical contact with another person when done in a rude, insulting or angry manner with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted;

(2) (A) recklessly causing great bodily harm to another person or disfigurement of another person; or

(B) recklessly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(3) (A) committing an act described in K.S.A. 8-1567, and amendments thereto, when great bodily harm to another person or disfigurement of another person results from such act; or

(B) committing an act described in K.S.A. 8-1567, and amendments thereto, when bodily harm to another person results from such act under circumstances whereby great bodily harm, disfigurement or death can result from such act.

(c) Battery against a law enforcement officer is:

(1) Battery, as defined in subsection (a)(2), committed against a:

(A) Uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; or

(B) uniformed or properly identified state, county or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer



or employee, ~~a juvenile correctional facility officer or employee~~ or a juvenile detention facility officer, or employee, while such officer is engaged in the performance of such officer's duty; ~~or~~

(C) judge, while such judge is engaged in the performance of such judge's duty;

(D) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(E) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty;

(2) battery, as defined in subsection (a)(1), committed against a:

(A) Uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; or

(B) uniformed or properly identified state, county or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee, ~~a juvenile correctional facility officer or employee~~ or a juvenile detention facility officer, or employee, while such officer is engaged in the performance of such officer's duty; ~~or~~

(C) judge, while such judge is engaged in the performance of such judge's duty;

(D) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(E) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty; or

(3) battery, as defined in subsection (a) committed against a:

(A) State correctional officer or employee by a person in custody of the secretary of corrections, while such officer or employee is engaged in the performance of such officer's or employee's duty;

(B) ~~juvenile correctional facility~~state correctional officer or employee by a person confined in such juvenile correctional facility, while such officer or employee is engaged in the performance of such officer's or employee's duty;

(C) juvenile detention facility officer or employee by a person confined in such juvenile detention facility, while such officer or employee is engaged in the performance of such officer's or employee's duty; or

(D) city or county correctional officer or employee by a person confined in a city holding facility or county jail facility, while such officer or employee is engaged in the performance of such officer's or employee's duty.

(d) Aggravated battery against a law enforcement officer is:

(1) An aggravated battery, as defined in subsection (b)(1)(A) committed against a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty; ~~or~~

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty;

(C) judge, while such judge is engaged in the performance of such judge's duty;

(D) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(E) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty;

(2) an aggravated battery, as defined in subsection (b)(1)(B) or (b)(1)(C), committed against a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty; ~~or~~

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; ~~or~~

(C) judge, while such judge is engaged in the performance of such judge's duty;

(D) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(E) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty; or

(3) knowingly causing, with a motor vehicle, bodily harm to a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty; or

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty.

(e) Battery against a school employee is a battery, as defined in subsection (a), committed against a school employee in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12 or at any regularly scheduled school sponsored activity or event, while such employee is engaged in the performance of such employee's duty.

(f) Battery against a mental health employee is a battery, as defined in subsection (a), committed against a mental health employee by a person in the custody of the secretary for aging and disability services, while such employee is engaged in the performance of such employee's duty.

(g) (1) Battery is a class B person misdemeanor.

(2) Aggravated battery as defined in:

(A) Subsection (b)(1)(A) is a severity level 4, person felony;

(B) subsection (b)(1)(B) or (b)(1)(C) is a severity level 7, person felony;

(C) subsection (b)(2)(A) or (b)(3)(A) is a severity level 5, person felony; and

(D) subsection (b)(2)(B) or (b)(3)(B) is a severity level 8, person felony.

(3) Battery against a law enforcement officer as defined in:

(A) Subsection (c)(1) is a class A person misdemeanor;

(B) subsection (c)(2) is a severity level 7, person felony; and

(C) subsection (c)(3) is a severity level 5, person felony.

(4) Aggravated battery against a law enforcement officer as defined in:

(A) Subsection (d)(1) or (d)(3) is a severity level 3, person felony; and

(B) subsection (d)(2) is a severity level 4, person felony.

(5) Battery against a school employee is a class A person misdemeanor.

(6) Battery against a mental health employee is a severity level 7, person felony.

(h) As used in this section:

(1) "Correctional institution" means any institution or facility under the supervision and control of the secretary of corrections;

(2) "state correctional officer or employee" means any officer or employee of the Kansas department of corrections or any independent contractor, or any employee of such contractor, whose duties include working at a correctional institution;

~~(3) "juvenile correctional facility officer or employee" means any officer or em-~~

~~ployee of the juvenile justice authority or any independent contractor, or any employee of such contractor, working at a juvenile correctional facility, as defined in K.S.A. 2014 Supp. 38-2302, and amendments thereto;~~

~~(4)~~ (3) "juvenile detention facility officer or employee" means any officer or employee of a juvenile detention facility as defined in K.S.A. 2014 Supp. 38-2302, and amendments thereto;

~~(5)~~ (4) "city or county correctional officer or employee" means any correctional officer or employee of the city or county or any independent contractor, or any employee of such contractor, whose duties include working at a city holding facility or county jail facility;

~~(6)~~ (5) "school employee" means any employee of a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12; ~~and~~

~~(7)~~ (6) "mental health employee" means: ~~(A) An employee of the Kansas department for aging and disability services working at Larned state hospital, Osawatimie state hospital and Rainbow mental health facility, Kansas neurological institute and Parsons state hospital and training center and the treatment staff as defined in K.S.A. 59-29a02, and amendments thereto; and (B) contractors and employees of contractors under contract to provide services to the Kansas department for aging and disability services working at any such institution or facility;~~

(7) "judge" means a duly elected or appointed justice of the supreme court, judge of the court of appeals, judge of any district court of Kansas, district magistrate judge or municipal court judge;

(8) "attorney" means a: (A) County attorney, assistant county attorney, special assistant county attorney, district attorney, assistant district attorney, special assistant district attorney, attorney general, assistant attorney general or special assistant attorney general; and (B) public defender, assistant public defender, contract counsel for the state board of indigents' defense services or an attorney who is appointed by the court to perform services for an indigent person as provided by article 45 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto;

(9) "community corrections officer" means an employee of a community correctional services program responsible for supervision of adults or juveniles as assigned by the court to community corrections supervision and any other employee of a community correctional services program that provides enhanced supervision of offenders such as house arrest and surveillance programs; and

(10) "court services officer" means an employee of the Kansas judicial branch or local judicial district responsible for supervising, monitoring or writing reports relating to adults or juveniles as assigned by the court, or performing related duties as assigned by the court.

Sec. 2. K.S.A. 2014 Supp. 21-6811, as amended by section 2 of 2015 House Bill No. 2053, is hereby amended to read as follows: 21-6811. In addition to the provisions of K.S.A. 2014 Supp. 21-6810, and amendments thereto, the following shall apply in determining an offender's criminal history classification as contained in the presumptive sentencing guidelines grids:

(a) Every three prior adult convictions or juvenile adjudications of class A and class B person misdemeanors in the offender's criminal history, or any combination thereof, shall be rated as one adult conviction or one juvenile adjudication of a person felony for

criminal history purposes. Every three prior adult convictions or juvenile adjudications of assault as defined in K.S.A. 21-3408, prior to its repeal, or K.S.A. 2014 Supp. 21-5412(a), and amendments thereto, occurring within a period commencing three years prior to the date of conviction for the current crime of conviction shall be rated as one adult conviction or one juvenile adjudication of a person felony for criminal history purposes.

(b) A conviction of criminal possession of a firearm as defined in K.S.A. 21-4204(a)(1) or (a)(5), prior to its repeal, criminal use of weapons as defined in K.S.A. 2014 Supp. 21-6301(a)(10) or (a)(11), and amendments thereto, or unlawful possession of a firearm as in effect on June 30, 2005, and as defined in K.S.A. 21-4218, prior to its repeal, will be scored as a select class B nonperson misdemeanor conviction or adjudication and shall not be scored as a person misdemeanor for criminal history purposes.

(c) (1) If the current crime of conviction was committed before July 1, 1996, and is for K.S.A. 21-3404(b), as in effect on June 30, 1996, involuntary manslaughter in the commission of driving under the influence, then, each prior adult conviction or juvenile adjudication for K.S.A. 8-1567, and amendments thereto, shall count as one person felony for criminal history purposes.

(2) If the current crime of conviction was committed on or after July 1, 1996, and is for a violation of K.S.A. 2014 Supp. 21-5405(a)(3), and amendments thereto, each prior adult conviction, diversion in lieu of criminal prosecution or juvenile adjudication for: (A) ~~an~~ any act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto; or (B) a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits ~~the~~ any act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto, shall count as one person felony for criminal history purposes.

(3) If the current crime of conviction is for a violation of K.S.A. 2014 Supp. 21-5413(b)(3), and amendments thereto:

(A) The first prior adult conviction, diversion in lieu of criminal prosecution or juvenile adjudication for the following shall count as one nonperson felony for criminal history purposes: (i) Any act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto; or (ii) a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits any act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto; and

(B) each second or subsequent prior adult conviction, diversion in lieu of criminal prosecution or juvenile adjudication for the following shall count as one person felony for criminal history purposes: (i) Any act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto; or (ii) a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits any act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, and amendments thereto.

(d) Prior burglary adult convictions and juvenile adjudications will be scored for criminal history purposes as follows:

(1) As a prior person felony if the prior conviction or adjudication was classified as a burglary as defined in K.S.A. 21-3715(a), prior to its repeal, or K.S.A. 2014 Supp. 21-5807(a)(1), and amendments thereto.

(2) As a prior nonperson felony if the prior conviction or adjudication was classified as a burglary as defined in K.S.A. 21-3715(b) or (c), prior to its repeal, or K.S.A.

2014 Supp. 21-5807(a)(2) or (a)(3), and amendments thereto.

The facts required to classify prior burglary adult convictions and juvenile adjudications shall be established by the state by a preponderance of the evidence.

(e)(1) Out-of-state convictions and juvenile adjudications shall be used in classifying the offender's criminal history.

(2) An out-of-state crime will be classified as either a felony or a misdemeanor according to the convicting jurisdiction:

(A) If a crime is a felony in another state, it will be counted as a felony in Kansas.

(B) If a crime is a misdemeanor in another state, the state of Kansas shall refer to the comparable offense in order to classify the out-of-state crime as a class A, B or C misdemeanor. If the comparable misdemeanor crime in the state of Kansas is a felony, the out-of-state crime shall be classified as a class A misdemeanor. If the state of Kansas does not have a comparable crime, the out-of-state crime shall not be used in classifying the offender's criminal history.

(3) The state of Kansas shall classify the crime as person or nonperson. In designating a crime as person or nonperson, comparable offenses under the Kansas criminal code in effect on the date the current crime of conviction was committed shall be referred to. If the state of Kansas does not have a comparable offense in effect on the date the current crime of conviction was committed, the out-of-state conviction shall be classified as a nonperson crime.

(4) Convictions or adjudications occurring within the federal system, other state systems, the District of Columbia, foreign, tribal or military courts are considered out-of-state convictions or adjudications.

(5) The facts required to classify out-of-state adult convictions and juvenile adjudications shall be established by the state by a preponderance of the evidence.

(f) Except as provided in K.S.A. 21-4710(d)(4), (d)(5) and (d)(6), prior to its repeal, or K.S.A. 2014 Supp. 21-6810(d)(3)(B), (d)(3)(C), (d)(3)(D) and (d)(4), and amendments thereto, juvenile adjudications will be applied in the same manner as adult convictions. Out-of-state juvenile adjudications will be treated as juvenile adjudications in Kansas.

(g) A prior felony conviction of an attempt, a conspiracy or a solicitation as provided in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2014 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, to commit a crime shall be treated as a person or nonperson crime in accordance with the designation assigned to the underlying crime.

(h) Drug crimes are designated as nonperson crimes for criminal history scoring.

(i) If the current crime of conviction is for a violation of K.S.A. 8-1602(b)(3) through (b)(5), and amendments thereto, each of the following prior convictions for offenses committed on or after July 1, 2011, shall count as a person felony for criminal history purposes: K.S.A. 8-235, 8-262, 8-287, 8-291, 8-1566, 8-1567, 8-1568, 8-1602, 8-1605 and 40-3104, and amendments thereto, and K.S.A. 2014 Supp. 21-5405(a)(3) and 21-5406, and amendments thereto, or a violation of a city ordinance or law of another state which would also constitute a violation of such sections.

(j) The amendments made to this section by ~~this act~~ 2015 House Bill No. 2053 are procedural in nature and shall be construed and applied retroactively.

Sec. 3. K.S.A. 2014 Supp. 22-2502 is hereby amended to read as follows: 22-2502.

(a) A search warrant shall be issued only upon the oral or written statement, including

those conveyed or received by electronic communication, of any person under oath or affirmation which states facts sufficient to show probable cause that a crime has been, is being or is about to be committed and which particularly describes a person, place or means of conveyance to be searched and things to be seized. Any statement which is made orally shall be either taken down by a certified shorthand reporter, sworn to under oath and made part of the application for a search warrant, or recorded before the magistrate from whom the search warrant is requested and sworn to under oath. Any statement orally made shall be reduced to writing as soon thereafter as possible. If the magistrate is satisfied that grounds for the application exist or that there is probable cause to believe that they exist, the magistrate may issue a search warrant for:

(1) The search or seizure of the following:

(A) Any thing that can be seized under the fourth amendment of the United States constitution;

~~(A)~~(B) any thing which has been used in the commission of a crime, or any contraband or any property which constitutes or may be considered a part of the evidence, fruits or instrumentalities of a crime under the laws of this state, any other state or of the United States. The term "fruits" as used in this act shall be interpreted to include any property into which the thing or things unlawfully taken or possessed may have been converted;

~~(B)~~(C) any person who has been kidnapped in violation of the laws of this state or who has been kidnapped in another jurisdiction and is now concealed within this state;

~~(C)~~(D) any human fetus or human corpse;

(E) any biological material, DNA, cellular material, blood, hair or fingerprints;

~~(D)~~(F) any person for whom a valid felony arrest warrant has been issued in this state or in another jurisdiction; or

~~(E)~~(G) (i) any information concerning the user of an electronic communication service; any information concerning the location of electronic communications systems, including, but not limited to, towers transmitting cellular signals involved in any wire communication; and any other information made through an electronic communications system; or

(ii) the jurisdiction granted in this paragraph shall extend to information held by entities registered to do business in the state of Kansas, submitting to the jurisdiction thereof, and entities primarily located outside the state of Kansas if the jurisdiction in which the entity is primarily located recognizes the authority of the magistrate to issue the search warrant; or

(2) the installation, maintenance and use of a tracking device.

(b) (1) The search warrant under subsection (a)(2) shall authorize the installation and use of the tracking device to track and collect tracking data relating to a person or property for a specified period of time, not to exceed 30 days from the date of the installation of the device.

(2) The search warrant under subsection (a)(2) may authorize the retrieval of the tracking data recorded by the tracking device during the specified period of time for authorized use of such tracking device within a reasonable time after the expiration of such warrant, for good cause shown.

(3) The magistrate may, for good cause shown, grant one or more extensions of a search warrant under subsection (a)(2) for the use of a tracking device, not to exceed 30 days each.

(c) Before ruling on a request for a search warrant, the magistrate may require the affiant to appear personally and may examine under oath the affiant and any witnesses that the affiant may produce. Such proceeding shall be taken down by a certified shorthand reporter or recording equipment and made part of the application for a search warrant.

(d) For a warrant executed prior to July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this section or search warrants for tracking devices shall not be made available for examination without a written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant's counsel for such disposition as either may desire.

(e) (1) For a warrant executed on or after July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this section or search warrants for tracking devices shall not be open to the public until the warrant has been executed. After the warrant has been executed, such affidavits or sworn testimony shall be made available to:

(A) The defendant or the defendant's counsel, when requested, for such disposition as either may desire; and

(B) any person, when requested, in accordance with the requirements of this subsection.

(2) Any person may request that affidavits or sworn testimony be disclosed by filing such request with the clerk of the court. The clerk of the court shall promptly notify the defendant or the defendant's counsel, the prosecutor and the magistrate that such request was filed.

(3) Within five business days after receiving notice of a request for disclosure from the clerk of the court, the defendant or the defendant's counsel and the prosecutor may submit to the magistrate, under seal, either:

(A) Proposed redactions, if any, to the affidavits or sworn testimony and the reasons supporting such proposed redactions; or

(B) a motion to seal the affidavits or sworn testimony and the reasons supporting such proposed seal.

(4) The magistrate shall review the requested affidavits or sworn testimony and any proposed redactions or motion to seal submitted by the defendant, the defendant's counsel or the prosecutor. The magistrate shall make appropriate redactions, or seal the affidavits or sworn testimony, as necessary to prevent public disclosure of information that would:

(A) Jeopardize the safety or well being of a victim, witness, confidential source or undercover agent, or cause the destruction of evidence;

(B) reveal information obtained from a court-ordered wiretap or from a search warrant for a tracking device that has not expired;

(C) interfere with any prospective law enforcement action, criminal investigation or prosecution;

(D) reveal the identity of any confidential source or undercover agent;

(E) reveal confidential investigative techniques or procedures not known to the general public;

(F) endanger the life or physical safety of any person;

(G) reveal the name, address, telephone number or any other information which specifically and individually identifies the victim of any sexual offense described in art-



icle 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2014 Supp. 21-6419 through 21-6422, and amendments thereto;

(H) reveal the name of any minor; or

(I) reveal any date of birth, personal or business telephone number, driver's license number, nondriver's identification number, social security number, employee identification number, taxpayer identification number, vehicle identification number or financial account information.

(5) Within five business days after receiving proposed redactions or a motion to seal from the defendant, the defendant's counsel or the prosecutor, or within 10 business days after receiving notice of a request for disclosure, whichever is earlier, the magistrate shall either:

(A) Order disclosure of the affidavits or sworn testimony with appropriate redactions, if any; or

(B) order the affidavits or sworn testimony sealed and not subject to public disclosure.

(f) As used in this section:

(1) "Electronic communication" means the use of electronic equipment to send or transfer a copy of an original document;

(2) "electronic communication service" and "electronic communication system" have the meaning as defined in K.S.A. 22-2514, and amendments thereto;

(3) "tracking data" means information gathered or recorded by a tracking device; and

(4) "tracking device" means an electronic or mechanical device that permits a person to remotely determine or track the position or movement of a person or object. "Tracking device" includes, but is not limited to, a device that stores geographic data for subsequent access or analysis and a device that allows for the real-time monitoring of movement.

(g) Nothing in this section shall be construed as requiring a search warrant for cellular location information in an emergency situation pursuant to K.S.A. 22-4615, and amendments thereto.;

On page 4, in line 10, after "Supp." by inserting "21-5413, 22-2502 and"; also in line 10, by striking "is" and inserting " , as amended by section 2 of 2015 House Bill No. 2053, are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "to" by inserting "battery;"; in line 3, after "misdemeanors;" by inserting "search warrants;"; also in line 3, after "Supp." by inserting "21-5413, 22-2502 and"; also in line 3, after "21-6811" by inserting " , as amended by section 2 of 2015 House Bill No. 2053, "; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

GREG SMITH  
FORREST J. KNOX  
PAT PETTEY

*Conferees on part of Senate*



JOHN E. BARKER  
 CHARLES MACHEERS  
 JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Pauls, the conference committee report on **HB 2055** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, Schwartz, Winn.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2124** submits the following report:

The Senate recesses from all of its amendments to the bill, and your committee on conference further agrees to amend the bill, as introduced, as follows:

On page 1, by striking all in lines 6 through 19 and inserting:

"Section 1. K.S.A. 2014 Supp. 21-6110 is hereby amended to read as follows: 21-6110. (a) It shall be unlawful, with no requirement of a culpable mental state, to smoke in an enclosed area or at a public meeting including, but not limited to:

- (1) Public places;
- (2) taxicabs and limousines;
- (3) restrooms, lobbies, hallways and other common areas in public and private buildings, condominiums and other multiple-residential facilities;
- (4) restrooms, lobbies and other common areas in hotels and motels and in at least 80% of the sleeping quarters within a hotel or motel that may be rented to guests;
- (5) access points of all buildings and facilities not exempted pursuant to subsection (d); and
- (6) any place of employment.

(b) Each employer having a place of employment that is an enclosed area shall provide a smoke-free workplace for all employees. Such employer shall also adopt and maintain a written smoking policy which shall prohibit smoking without exception in

all areas of the place of employment. Such policy shall be communicated to all current employees within one week of its adoption and shall be communicated to all new employees upon hiring. Each employer shall provide a written copy of the smoking policy upon request to any current or prospective employee.

(c) Notwithstanding any other provision of this section, K.S.A. 2014 Supp. 21-6111 or 21-6112, and amendments thereto, the proprietor or other person in charge of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a medical care facility, may designate a portion of such adult care home, or the licensed long-term care unit of such medical care facility, as a smoking area, and smoking may be permitted within such designated smoking area.

(d) The provisions of this section shall not apply to:

(1) The outdoor areas of any building or facility beyond the access points of such building or facility;

(2) private homes or residences, except when such home or residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto;

(3) a hotel or motel room rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed 20%;

(4) the gaming floor of a lottery gaming facility or racetrack gaming facility, as those terms are defined in K.S.A. 74-8702, and amendments thereto;

(5) that portion of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, that is expressly designated as a smoking area by the proprietor or other person in charge of such adult care home pursuant to subsection (c) and that is fully enclosed and ventilated;

(6) that portion of a licensed long-term care unit of a medical care facility that is expressly designated as a smoking area by the proprietor or other person in charge of such medical care facility pursuant to subsection (c) and that is fully enclosed and ventilated and to which access is restricted to the residents and their guests;

(7) tobacco shops;

(8) a class A or class B club defined in K.S.A. 41-2601, and amendments thereto, which: (A) Held a license pursuant to K.S.A. 41-2606 et seq., and amendments thereto, as of January 1, 2009; and (B) notifies the secretary of health and environment in writing, not later than 90 days after the effective date of this act, that it wishes to continue to allow smoking on its premises;

(9) a private club in designated areas where minors are prohibited; ~~and~~

(10) any benefit cigar dinner or other cigar dinner of a substantially similar nature that:

(A) Is conducted specifically and exclusively for charitable purposes by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(B) is conducted no more than once per calendar year by such organization; and

(C) has been held during each of the previous three years prior to January 1, 2011; ~~and~~

(11) that portion of a medical or clinical research facility constituting a separately ventilated, secure smoking room dedicated and used solely and exclusively for clinical research activities conducted in accordance with regulatory authority of the United States or the state of Kansas, as determined by the director of alcoholic beverage control of the department of revenue.

Sec. 2. K.S.A. 50-6a02 is hereby amended to read as follows: 50-6a02. As used in this act:

(a) "Adjusted for inflation" means increased in accordance with the formula for inflation adjustment set forth in exhibit C to the master settlement agreement.

(b) "Affiliate" means a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person. Solely for purposes of this definition, the terms "owns," "is owned" and "ownership" mean ownership of an equity interest, or the equivalent thereof, of 10% or more, and the term "person" means an individual, partnership, committee, association, corporation or any other organization or group of persons.

(c) "Allocable share" means allocable share as that term is defined in the master settlement agreement.

(d) "Cigarette" means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use and consists of or contains: (1) Any roll of tobacco wrapped in paper or in any substance not containing tobacco; ~~or~~ (2) tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or (3) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in ~~clause (1) of this subsection (d)(1).~~ The term "cigarette" includes "roll-your-own" (i.e., any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes). For purposes of this definition of "cigarette," 0.09 ounces of "roll-your-own" tobacco shall constitute one individual "cigarette."

(e) "Master settlement agreement" means the settlement agreement (and related documents) entered into on November 23, 1998, by the state and leading United States tobacco product manufacturers.

(f) "Qualified escrow fund" means an escrow arrangement with a federally or state chartered financial institution having no affiliation with any tobacco product manufacturer and having assets of at least \$1,000,000,000 where such arrangement requires that such financial institution hold the escrowed funds' principal for the benefit of releasing parties and prohibits the tobacco product manufacturer placing the funds into escrow from using, accessing or directing the use of the funds' principal except as consistent with ~~subsection (b)(2) of K.S.A. 50-6a03(b)(2), and amendments thereto.~~

(g) "Released claims" means released claims as that term is defined in the master settlement agreement.

(h) "Releasing parties" means releasing parties as that term is defined in the master settlement agreement.

(i) "Tobacco product manufacturer" means an entity that after the date of enactment of this act directly (and not exclusively through any affiliate):

(1) Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer (except where such importer is an original participating manufacturer, as that term is defined in the master settlement agreement, that will be responsible for the payments under the master settlement agreement with respect to such cigarettes as a result of the provisions of subsections II(mm) of the master settlement agreement and that

pays the taxes specified in subsection II(z) of the master settlement agreement, and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States);

(2) is the first purchaser anywhere for resale in the United States of cigarettes manufactured anywhere that the manufacturer does not intend to be sold in the United States; or

(3) becomes a successor of an entity described in paragraph (1) or (2). The term "tobacco product manufacturer" shall not include an affiliate of a tobacco product manufacturer unless such affiliate itself falls within any of ~~parts (1)-(3) of subsection (i)~~<sup>(1)</sup> through (3) above.

(j) "Units sold" means, with respect to a particular tobacco product manufacturer for a particular year, the number of individual cigarettes sold in the state, including, without limitation, any cigarettes sold on any qualified tribal land within the state, by the applicable tobacco product manufacturer, whether directly or through a distributor, retailer or similar intermediary or intermediaries, during the year in question, as measured by excise taxes collected by the state on packs (or "roll-your-own" tobacco containers) bearing the excise tax stamp of the state for which the state has the authority under federal law to impose excise or a similar tax or to collect escrow deposits, regardless of whether such taxes were imposed or collected by the state. The department of revenue and the attorney general shall promulgate such rules and regulations as are necessary to ascertain the amount number of state excise tax paid on the cigarettes units sold of such tobacco product manufacturer for each year.

Sec. 3. K.S.A. 2014 Supp. 50-6a04 is hereby amended to read as follows: 50-6a04.

(a) No person may:

(1) Affix, or cause to be affixed, tax indicia to a package of cigarettes, or otherwise pay the tax due upon such cigarettes, of a tobacco product manufacturer brand family not included in the directory; or

(2) sell, offer, possess for sale or import ~~for personal consumption in~~ into this state, cigarettes of a tobacco product manufacturer brand family not included in the directory.

(b) (1) Not later than July 1, 2009, the attorney general shall develop a directory, to be posted on the attorney general's website. Except as otherwise provided, the directory shall list all tobacco product manufacturers and brand families of such tobacco product manufacturers that have provided current and accurate certifications conforming to the requirements of subsection (c).

(2) The attorney general shall not include or retain in the directory any non-participating manufacturer, or non-participating manufacturer's brand family, that has failed to provide the required certification, or whose certification the attorney general determines is not in compliance with subsection (c), unless such failure or noncompliance has been cured to the satisfaction of the attorney general.

(3) In the case of a non-participating manufacturer, neither the tobacco product manufacturer nor a brand family shall be included or retained in the directory if the attorney general concludes:

(A) That an escrow payment required pursuant to K.S.A. 50-6a03, and amendments thereto, for any period for any brand family, whether or not listed by such non-participating manufacturer, has not been fully paid into a qualified escrow fund governed by an escrow agreement that has been approved by the attorney general;

(B) that an outstanding final judgment, including interest thereon, for a violation of

K.S.A. 50-6a03, and amendments thereto, has not been fully satisfied for such tobacco product manufacturer; or

(C) that, within three calendar years prior to the date of submission or approval of the most recent certification, such tobacco product manufacturer has defaulted on escrow payments in any other state or jurisdiction that is a party to the master settlement agreement and the default has not been cured within 90 calendar days of such default.

(4) The attorney general shall update the directory as necessary in order to correct mistakes and to add or remove a tobacco product manufacturer or brand family so as to keep the directory in conformity with the requirements of this act.

(5) The attorney general shall promptly post in the directory and transmit by electronic mail to each stamping agent that has provided an electronic mail address, notice of removal from the directory of a tobacco product manufacturer or brand family.

(6) Unless otherwise provided by agreement between a stamping agent and a tobacco product manufacturer, the stamping agent shall be entitled to a refund from a tobacco product manufacturer for any money paid by the stamping agent to the tobacco product manufacturer for any cigarettes of the tobacco product manufacturer in the possession of the stamping agent on the effective date of removal from the directory of that tobacco product manufacturer or brand family.

(7) Unless otherwise provided by agreement between a retail dealer or a vending machine operator and a tobacco product manufacturer, a retail dealer or a vending machine operator shall be entitled to a refund from a tobacco product manufacturer for any money paid by the retail dealer or vending machine operator to a stamping agent for any cigarettes of the tobacco product manufacturer still in the possession of the retail dealer or vending machine operator on the effective date of removal from the directory of that tobacco product manufacturer or brand family.

(8) The attorney general may remove from the state directory a tobacco product manufacturer or brand family if the attorney general concludes that:

(A) (i) The tobacco product manufacturer or any of the tobacco product manufacturer's affiliates, sales entity affiliates, officers or directors had pleaded guilty or nolo contendere to or been found guilty of a felony crime relating to the sale or taxation of cigarettes or tobacco products; or

(ii) the tobacco product manufacturer and the tobacco product manufacturer's brand families have been removed from the directory of another state based on acts or omissions that would, if done in this state, serve as a basis for removal from the directory maintained by the attorney general under this section, unless the manufacturer demonstrates that its removal from the other state's directory was effected without due process.

(B) (i) A tobacco product manufacturer that is removed from the state directory under this subsection (b) shall be eligible for relisting in the directory described in this subsection (b) on the earlier of the date on which the tobacco product manufacturer cures the violation or the date on which the tobacco product manufacturer is reinstated to the directory in the other state; or

(ii) in the case of a non-participating manufacturer deemed an elevated risk pursuant to K.S.A. 50-6a09, and amendments thereto, the attorney general may require such non-participating manufacturer to post a bond in accordance with that section.

(c) (1) On or before April 30 of each year, every tobacco product manufacturer whose cigarettes are sold in this state, whether directly or through a stamping agent or similar intermediary or intermediaries, shall execute and deliver in the manner pre-

scribed by the attorney general a certification to the attorney general certifying under penalty of perjury that, as of the date of such certification, such tobacco product manufacturer either is:

- (A) A participating manufacturer; or
  - (B) in full compliance with K.S.A. 50-6a03, and amendments thereto, including payment of all quarterly installment payments as may be required by subsection (d).
- (2) A participating manufacturer shall include in its certification a list of its brand families. The participating manufacturer shall update such list 30 calendar days prior to any addition to, or modification of its brand families by executing and delivering a supplemental certification to the attorney general.
- (3) A non-participating manufacturer shall include in its certification:
- (A) The number of units sold for each brand family sold in the state during the preceding calendar year;
  - (B) a list of all of its brand families sold in the state at any time during the current calendar year, including any brand family sold in the state during the preceding calendar year that is no longer being sold in the state as of the date of such certification;
  - (C) the identity, by name and address, of any other tobacco product manufacturer who manufactured such brand families in the preceding or current calendar year;
  - (D) a declaration that such non-participating manufacturer is registered to do business in the state, or has appointed a resident agent for service of process, and provided notice thereof as required by K.S.A. 2014 Supp. 50-6a08, and amendments thereto;
  - (E) a declaration that such non-participating manufacturer:
    - (i) Has established and continues to maintain a qualified escrow fund; and
    - (ii) has executed an escrow agreement that governs the qualified escrow fund and that such escrow agreement has been reviewed and approved by the attorney general;
  - (F) a declaration that such non-participating manufacturer consents to the jurisdiction of the district court of the third judicial district, Shawnee county, Kansas, for purposes of enforcing this act, or rules or regulations promulgated pursuant thereto, as required by ~~subsection (e) of~~ K.S.A. 2014 Supp. 50-6a08(c), and amendments thereto;
  - (G) a declaration that such non-participating manufacturer is in full compliance with ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto, and any rules or regulations promulgated pursuant to this act;
  - (H) (i) the name, address and telephone number of the financial institution where the non-participating manufacturer has established such qualified escrow fund required pursuant to ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto;
  - (ii) the account number of such qualified escrow fund and any sub-account number for the state of Kansas;
  - (iii) the amount such non-participating manufacturer placed in such qualified escrow fund for cigarettes sold in this state during the preceding calendar year, the date and amount of each such deposit and such evidence or verification as may be deemed necessary by the attorney general to confirm the foregoing; and
  - (iv) the amount and date of any withdrawal or transfer of funds the non-participating manufacturer made at any time from such qualified escrow fund or from any other qualified escrow fund into which it ever made escrow payments pursuant to ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto; ~~and~~
  - (I) in the case of a non-participating manufacturer located outside of the United States, a declaration from each of its importers to the United States of any of its brand

families to be sold in Kansas that such importer accepts joint and several liability with the non-participating manufacturer for:

(i) All escrow deposits due under ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto;

(ii) all penalties assessed under ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto; and

(iii) payment of all costs and attorney fees pursuant to any successful action under this act against ~~said such~~ manufacturer.

Such declarations by importers of a non-participating manufacturer shall appoint for the declarant a resident agent for service of process in Kansas in accordance with K.S.A. 2014 Supp. 50-6a08, and amendments thereto, and consent to jurisdiction in accordance with K.S.A. 2014 Supp. 50-6a08, and amendments thereto;

(J) the identity of all stamping agents, wholesalers and distributors, by name and address, to whom the non-participating manufacturer or its importer sold cigarettes to or that the manufacturer or importer believes or has reason to believe purchased or received any of the manufacturer's cigarettes from another source during the preceding calendar year, and those for which the manufacturer or its importer plan to sell to or believe or has reason to believe will purchase or receive any of the manufacturer's cigarettes from another source during the certifying calendar year; and

(K) a declaration that all sales or shipments made by the non-participating manufacturer or its affiliates, including, but not limited to, its importers and stamping agents provided for certification under this section, within or into this state are made to a stamping agent, wholesaler, distributor or retailer that is licensed in this state.

(4) A tobacco product manufacturer may not include a brand family in its certification unless:

(A) In the case of a participating manufacturer, said participating manufacturer affirms that the brand family shall be deemed to be its cigarettes for purposes of calculating its payments under the master settlement agreement for the relevant year in the volume and shares determined pursuant to the master settlement agreement; or

(B) in the case of a non-participating manufacturer, said non-participating manufacturer affirms that the brand family shall be deemed to be its cigarettes for purposes of ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto.

Nothing in this paragraph shall be construed as limiting or otherwise affecting the state's right to maintain that a brand family constitutes cigarettes of a different tobacco product manufacturer for purposes of calculating payments under the master settlement agreement or ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto.

(5) Invoices and documentation of sales and other such information relied upon for such certification shall be maintained by tobacco product manufacturers for a period of at least five years.

(6) As a condition to being listed and having its brand families listed in the directory, a tobacco product manufacturer shall also:

(A) Certify annually that such manufacturer or its importer holds a valid permit under 26 U.S.C. § 5713 and provide a copy of such permit to the attorney general;

(B) certify annually that it is in compliance with all reporting and registration requirements of 15 U.S.C. § 375 et seq. and provide monthly to the director and the attorney general, regardless of sales or shipments, a copy of all reports required pursuant to 15 U.S.C. §§ 376 and 376a, to be filed electronically in a manner prescribed by the dir-



ector and attorney general; and

(C) pay annually a \$500 directory fee to the attorney general which shall be deposited in the tobacco master settlement agreement compliance fund.

(d) The attorney general may require a tobacco product manufacturer subject to the requirements of subsection (c) to make the escrow deposits required by ~~subsection (b) of~~ K.S.A. 50-6a03(b), and amendments thereto, in quarterly installments during the calendar year in which the sales covered by such deposits are made. The attorney general may require production of information sufficient to enable the attorney general to determine the adequacy of the amount of the installment deposit.

Sec. 4. K.S.A. 2014 Supp. 50-6a07 is hereby amended to read as follows: 50-6a07. As used in this act:

(a) "Act" means the provisions of K.S.A. 50-6a01 through 50-6a06, and amendments thereto, and the provisions of K.S.A. 2014 Supp. 50-6a07 through 50-6a21, and amendments thereto.

(b) "Brand family" means all styles of cigarettes sold under the same trademark and differentiated from one another by means of additional modifiers or descriptors, including, but not limited to, "menthol," "lights," "kings," and "100s," and includes any brand name (alone or in conjunction with any other word), trademark, logo, symbol, motto, selling message, recognizable pattern of colors or any other indicia of product identification identical, similar to or identifiable with a previously known brand of cigarettes.

(c) "Cigarette" has the same meaning given that term in ~~subsection (d) of~~ K.S.A. 50-6a02(d), and amendments thereto.

(d) "Director" means the director of taxation.

(e) "Indian tribe" means any Indian tribe, band, nation or other organized group or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians under the laws of the United States.

~~(e)-(f)~~ "Master settlement agreement" has the same meaning given that term in ~~subsection (e) of~~ K.S.A. 50-6a02(e), and amendments thereto.

~~(f)-(g)~~ "Non-participating manufacturer" means any tobacco product manufacturer that is not a participating manufacturer.

~~(g)-(h)~~ "Participating manufacturer" has the meaning given that term in ~~subsection (i)(1) of~~ K.S.A. 50-6a02(i)(1), and amendments thereto.

~~(h)-(i)~~ "Qualified escrow fund" has the same meaning given that term in ~~subsection (f) of~~ K.S.A. 50-6a02(f), and amendments thereto.

~~(i)-(j)~~ "Resident agent" means a domestic corporation, a domestic limited partnership, a domestic limited liability company or a domestic business trust or a foreign corporation, a foreign limited partnership, a foreign limited liability company or a foreign business trust authorized to transact business in this state, and which is generally open during regular business hours to accept service of process on behalf of a non-participating manufacturer.

~~(j)-(k)~~ "Retail dealer" has the same meaning given that term in ~~subsection (q) of~~ K.S.A. 79-3301(q), and amendments thereto.

~~(k)-(l)~~ "Stamping agent" means a person who is authorized to affix tax indicia to packages of cigarettes pursuant to K.S.A. 79-3311, and amendments thereto, or any person who is required to pay the tax on the privilege of selling or dealing in roll-your-own tobacco products pursuant to K.S.A. 79-3371, and amendments thereto.



~~(m)~~ "Tax indicia" has the same meaning given that term in ~~subsection (u)~~ of K.S.A. 79-3301(u), and amendments thereto.

~~(n)~~ "Tobacco product manufacturer" has the same meaning given that term in ~~subsection (i)~~ of K.S.A. 50-6a02(i), and amendments thereto.

~~(o)~~ "Qualified tribal land" means:

(1) All land within the borders of this state that is within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, including rights-of-way running through the reservation;

(2) all dependent Indian communities within the borders of this state;

(3) all Indian allotments within the borders of this state, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments;  
and

(4) any lands within the borders of this state, the title to which is either held in trust by the United States for the benefit of any Indian tribe or individual, or held by any Indian tribe or individual subject to restriction by the United States against alienation, and over which an Indian tribe exercises governmental power.

~~(p)~~ "Units sold" has the same meaning given that term in ~~subsection (j)~~ of K.S.A. 50-6a02(j), and amendments thereto.

~~(q)~~ "Vending machine operator" has the same meaning given that term in ~~subsection (y)~~ of K.S.A. 79-3301(y), and amendments thereto.

Sec. 5. K.S.A. 2014 Supp. 50-6a10 is hereby amended to read as follows: 50-6a10.

(a) (1) No later than 10 calendar days after the end of each calendar month, and more frequently if so directed by the attorney general or director, each stamping agent authorized to affix tax indicia to packages of cigarettes pursuant to K.S.A. 79-3311, and amendments thereto, shall submit such information as the attorney general or director requires. No later than 20 calendar days after the end of each calendar month, and more frequently if so directed by the attorney general or director, each stamping agent who is required to pay the tax on the privilege of selling or dealing in roll-your-own tobacco products pursuant to K.S.A. 79-3371, and amendments thereto, shall submit such information as the attorney general or director requires.

(2) Invoices and documentation of sales of all non-participating manufacturer cigarettes, and any other information relied upon in reporting to the director shall, upon request, be made available to the director or the attorney general. Such invoices and documents shall be maintained for a period of at least three years.

(b) At any time, the attorney general may request from the non-participating manufacturer or the financial institution at which such manufacturer has established a qualified escrow fund for the purpose of compliance with ~~subsection (b)~~ of K.S.A. 50-6a03(b), and amendments thereto, proof of the amount of money in such fund, exclusive of interest, the amount and date of each deposit to such fund and the amount and date of each withdrawal from such fund.

(c) In addition to the information required to be submitted pursuant to subsections (a) and (b) and ~~subsection (e)~~ of K.S.A. 50-6a04(c), and amendments thereto, the attorney general or the director may require a stamping agent or tobacco product manufacturer to submit any additional information including, but not limited to, samples of the packaging or labeling of each brand family as is necessary to enable the attorney general to determine whether a tobacco product manufacturer is in compliance with this act.

(d) A stamping agent or non-participating manufacturer receiving a request pursuant to ~~subsection (e)~~ this section shall provide the requested information within 30 calendar days from receipt of the request.

Sec. 6. K.S.A. 2014 Supp. 50-6a11 is hereby amended to read as follows: 50-6a11.

(a) The director is authorized to disclose to the attorney general any information received under this act, as requested by the attorney general for purposes of determining compliance with or enforcing the provisions of this act. The director and attorney general shall share with each other information received under this act and the director and the attorney general may share such information with federal agencies, attorneys general of other states or directors of taxation or their equivalents of other states, for purposes of enforcement of this act, the corresponding federal laws or the corresponding laws of other states. The director and attorney general may share the information specified under this subsection with any of the following:

(1) Federal, state or local agencies for the purposes of enforcement of corresponding laws of other states.

(2) A court, arbitrator, data clearinghouse or similar entity for the purpose of assessing compliance with or making calculations required by the master settlement agreement or agreements regarding disputes under the master settlement agreement, and with counsel for the parties or expert witnesses in any such proceeding, if the information otherwise remains confidential.

(b) Except as otherwise provided, any information provided to the attorney general or director for purposes of enforcement of this act may be shared between the attorney general and the director and shall not be disclosed publicly by the attorney general or the director except when necessary to facilitate compliance with and enforcement of this act.

(c) On a quarterly basis, and upon request made in writing by a tobacco product manufacturer, the attorney general or the director may provide the name of any stamping agent who reports selling the tobacco product manufacturer's products.

(d) On a quarterly basis, and upon request made in writing by a tobacco product manufacturer, a stamping agent shall provide to the requesting tobacco product manufacturer the total number of cigarettes, by brand family, which the stamping agent reported to the attorney general or director pursuant to K.S.A. 2014 Supp. 50-6a10, and amendments thereto, provided that such information provided by the stamping agent to a tobacco product manufacturer shall be limited to the brand families of that manufacturer as listed in the directory established in ~~subsection (b)~~ of K.S.A. 50-6a04(b), and amendments thereto.

(e) Unless disclosure is authorized under this section, all information obtained by the director and disclosed to the attorney general or shared with federal agencies, attorneys general of other states or directors of taxation or their equivalents of other states for purposes of enforcement of this act, the corresponding federal laws or the corresponding laws of other states, shall be confidential. The penalties provided under K.S.A. 75-5133, and amendments thereto, shall not apply when information is lawfully disclosed pursuant to this section.

(f) Any tobacco sales data provided to the director, attorney general or data clearinghouse for the purpose of assessing compliance with or making calculations required by the master settlement agreement or related agreements, shall be confidential. The provisions of this subsection shall expire on July 1, 2020, unless the legislature reviews

this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2020.

Sec. 7. K.S.A. 2014 Supp. 50-6a16 is hereby amended to read as follows: 50-6a16.

(a) It shall be unlawful for a person to sell or distribute cigarettes, or acquire, hold, own, possess, transport, import or cause to be imported cigarettes that the person knows or should know are intended for distribution or sale in this state in violation of ~~subsection (a) of K.S.A. 50-6a04(a), and amendments thereto. A violation of this subsection shall be a class B misdemeanor or 50-6a13(a), and amendments thereto.~~

(1) Upon a first conviction for a violation of subsection (a), a person shall be guilty of a class A nonperson misdemeanor and sentenced to no more than one year in confinement and fined not less than \$1,000, nor more than \$2,500.

(2) On a second conviction for a violation of subsection (a), a person shall be guilty of a severity level 9 nonperson felony and fined a sum of not less than \$10,000, nor more than \$100,000, and sentenced according to the provisions of K.S.A. 2014 Supp. 21-6804, and amendments thereto.

(3) On a third or subsequent conviction for a violation of subsection (a), a person shall be guilty of a severity level 9 nonperson felony and fined a sum of no less than \$50,000, nor more than \$100,000, and sentenced according to the provisions of K.S.A. 2014 Supp. 21-6804, and amendments thereto.

(4) The penalties provided hereunder are cumulative to the remedies or penalties, including all civil penalties, under all other laws of this state.

(b) It shall be unlawful for a non-participating manufacturer, directly or indirectly, to falsely represent to any person in Kansas:

- (1) Any information about a brand family listed on the directory;
- (2) that it is a participating manufacturer;
- (3) that it has made all required escrow payments; or
- (4) that it has satisfied any other requirements imposed pursuant to this act.

A violation of this subsection is a class A nonperson misdemeanor.

(c) The attorney general shall have concurrent authority with any county or district attorney to prosecute any violation of this section.

Sec. 8. K.S.A. 2014 Supp. 75-5133 is hereby amended to read as follows: 75-5133.

(a) Except as otherwise more specifically provided by law, all information received by the secretary of revenue, the director of taxation or the director of alcoholic beverage control from returns, reports, license applications or registration documents made or filed under the provisions of any law imposing any sales, use or other excise tax administered by the secretary of revenue, the director of taxation, or the director of alcoholic beverage control, or from any investigation conducted under such provisions, shall be confidential, and it shall be unlawful for any officer or employee of the department of revenue to divulge any such information except in accordance with other provisions of law respecting the enforcement and collection of such tax, in accordance with proper judicial order or as provided in K.S.A. 74-2424, and amendments thereto.

(b) The secretary of revenue or the secretary's designee may:

- (1) Publish statistics, so classified as to prevent identification of particular reports or returns and the items thereof;
- (2) allow the inspection of returns by the attorney general or the attorney general's designee;
- (3) provide the post auditor access to all such excise tax reports or returns in ac-

cordance with and subject to the provisions of ~~subsection (g) of~~ K.S.A. 46-1106(g), and amendments thereto;

(4) disclose taxpayer information from excise tax returns to persons or entities contracting with the secretary of revenue where the secretary has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality;

(5) provide information from returns and reports filed under article 42 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, to county appraisers as is necessary to insure proper valuations of property. Information from such returns and reports may also be exchanged with any other state agency administering and collecting conservation or other taxes and fees imposed on or measured by mineral production;

(6) provide, upon request by a city or county clerk or treasurer or finance officer of any city or county receiving distributions from a local excise tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month, and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number;

(7) provide information from returns and applications for registration filed pursuant to K.S.A. 12-187, and amendments thereto, and K.S.A. 79-3601, and amendments thereto, to a city or county treasurer or clerk or finance officer to explain the basis of statistics contained in reports provided by subsection (b)(6);

(8) disclose the following oil and gas production statistics received by the department of revenue in accordance with K.S.A. 79-4216 et seq., and amendments thereto: Volumes of production by well name, well number, operator's name and identification number assigned by the state corporation commission, lease name, leasehold property description, county of production or zone of production, name of purchaser and purchaser's tax identification number assigned by the department of revenue, name of transporter, field code number or lease code, tax period, exempt production volumes by well name or lease, or any combination of this information;

(9) release or publish liquor brand registration information provided by suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: Item number, universal numeric code, type status, product description, alcohol percentage, selling units, unit size, unit of measurement, supplier number, supplier name, distributor number and distributor name;

(10) release or publish liquor license information provided by liquor licensees, distributors, suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: County name, owner, business name, address, license type, license number, license expiration date and the process agent contact information;

(11) release or publish cigarette and tobacco license information obtained from cigarette and tobacco licensees in accordance with the Kansas cigarette and tobacco products act. The information to be released is limited to: County name, owner, business name, address, license type and license number;

(12) provide environmental surcharge or solvent fee, or both, information from returns and applications for registration filed pursuant to K.S.A. 65-34,150 and 65-34,151, and amendments thereto, to the secretary of health and environment or the sec-

retary's designee for the sole purpose of ensuring that retailers collect the environmental surcharge tax or solvent fee, or both;

(13) provide water protection fee information from returns and applications for registration filed pursuant to K.S.A. 82a-954, and amendments thereto, to the secretary of the state board of agriculture or the secretary's designee and the secretary of the Kansas water office or the secretary's designee for the sole purpose of verifying revenues deposited to the state water plan fund;

(14) provide to the secretary of commerce copies of applications for project exemption certificates sought by any taxpayer under the enterprise zone sales tax exemption pursuant to ~~subsection (ee) of K.S.A. 79-3606(cc)~~, and amendments thereto;

(15) disclose information received pursuant to the Kansas cigarette and tobacco act and subject to the confidentiality provisions of this act to any criminal justice agency, as defined in ~~subsection (e) of K.S.A. 22-4701(c)~~, and amendments thereto, or to any law enforcement officer, as defined in K.S.A. 2014 Supp. 21-5111, and amendments thereto, on behalf of a criminal justice agency, when requested in writing in conjunction with a pending investigation;

(16) provide to retailers tax exemption information for the sole purpose of verifying the authenticity of tax exemption numbers issued by the department;

(17) provide information concerning remittance by sellers, as defined in K.S.A. 2014 Supp. 12-5363, and amendments thereto, of prepaid wireless 911 fees from returns to the local collection point administrator, as defined in K.S.A. 2014 Supp. 12-5363, and amendments thereto, for purposes of verifying seller compliance with collection and remittance of such fees; ~~and~~

(18) release or publish charitable gaming information obtained in bingo licensee and registration applications and renewals in accordance with the bingo act, K.S.A. 79-4701 et seq., and amendments thereto. The information to be released is limited to: The name, address, phone number, license registration number and email address of the organization, distributor or of premises; and

(19) provide to the attorney general confidential information for purposes of determining compliance with or enforcing K.S.A. 50-6a01 et seq., and amendments thereto, the master settlement agreement referred to therein and all agreements regarding disputes under the master settlement agreement. The secretary and the attorney general may share the information specified under this subsection with any of the following:

(A) Federal, state or local agencies for the purposes of enforcement of corresponding laws of other states; and

(B) a court, arbitrator, data clearinghouse or similar entity for the purpose of assessing compliance with or making calculations required by the master settlement agreement or agreements regarding disputes under the master settlement agreement, and with counsel for the parties or expert witnesses in any such proceeding, if the information otherwise remains confidential.

(c) Any person receiving any information under the provisions of subsection (b) shall be subject to the confidentiality provisions of subsection (a) and to the penalty provisions of subsection (d).

(d) Any violation of this section shall be a class A, nonperson misdemeanor, and if the offender is an officer or employee of this state, such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by

the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute any violation of this section if the offender is a city or county clerk or treasurer or finance officer of a city or county.

Sec. 9. K.S.A. 50-6a02 and K.S.A. 2014 Supp. 21-6110, 50-6a04, 50-6a07, 50-6a10, 50-6a11, 50-6a16 and 75-5133 are hereby repealed.";

Also on page 1, in line 21, by striking "statute book" and inserting "Kansas register";  
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "cigarettes and tobacco products; relating to smoking; the directory and certification of tobacco product manufacturers; disclosure of information and criminal penalties; amending K.S.A. 50-6a02 and K.S.A. 2014 Supp. 21-6110, 50-6a04, 50-6a07, 50-6a10, 50-6a11, 50-6a16 and 75-5133 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

PAT PETTEY

*Conferees on part of Senate*

JOHN E. BARKER

CHARLES MACHEERS

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Barker, the conference committee report on **S Sub for HB 2124** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, Schwartz, Winn.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2104** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 8, following line 42, by inserting:

"New Sec. 6. Each political party which is a recognized political party in accordance with K.S.A. 25-302a, and amendments thereto, shall have procedures to select a presidential nominee and shall select a presidential nominee in accordance with such party procedures for the 2016 presidential election, and every fourth year thereafter.

New Sec. 7. (a) On and after January 1, 2017, all primary elections for members of the governing body and other elected officials of any municipality shall be held on the first Tuesday in August of 2017 and on such date thereafter of odd-numbered years, and all general elections for members of the governing body and other elected officials of any municipality shall be held on the Tuesday succeeding the first Monday in November of 2017 of odd-numbered years and on such date thereafter.

(b) The term of members of governing bodies and other elected officials of any municipality that would expire at any time in 2017 shall expire on the second Monday in January of 2018, when newly elected members of the governing body and other newly elected officials shall take office.

(c) The governing body of the municipality shall establish by ordinance or resolution terms of office of elected officials to comply with this act.

(d) Primary elections for any municipality shall be conducted as provided in K.S.A. 25-202, and amendments thereto. A primary election shall only be required as provided in K.S.A. 25-2021 and 25-2108a, and amendments thereto, or as otherwise required by law.

(e) The filing deadline for all candidates for any municipality, unless otherwise provided by law, shall be as provided in K.S.A. 25-205, and amendments thereto.

(f) Any person who meets the qualifications for the office sought may become a candidate for municipal office by filing a declaration of intent to become a candidate with the county election officer accompanied by a filing fee of \$20.

(g) "Municipality" means: (1) Any city, consolidated city-county created under K.S.A. 12-340 et seq., and amendments thereto, and K.S.A. 2014 Supp. 12-360 et seq., and amendments thereto, school district, any board of public utilities created under K.S.A. 13-1220 et seq., and amendments thereto, community college, drainage district, extension district created under K.S.A. 2-623 et seq., and amendments thereto, irrigation district, improvement district created under K.S.A. 19-2753 et seq., and amendments thereto, water district created under K.S.A. 19-3501 et seq., and amendments thereto, and hospital district created under K.S.A. 80-2501 et seq., and amendments thereto.

(2) The term does not include any special district where the election of members of the governing body is conducted at a meeting of the special district.

(h) Cities may provide for elections of elected officials in even-numbered years in order to provide for staggered terms of office or for three-year terms of office for elected officials.



New Sec. 8. (a) A city shall continue to operate under its current form of government whether established at an election, or by adoption of a charter ordinance or ordinance until such time that the city's form of government is changed as provided by law.

(b) All existing ordinances and charter ordinances relating to a city's form of government, except those provisions relating to the timing of city primary and general elections, shall remain in effect until amended or repealed by such city.

New Sec. 9. (a) Subject to subsection (b) and section 10, and amendments thereto, any city may adopt by ordinance one of the following forms of government:

- (1) Commission;
- (2) mayor-council;
- (3) commission-manager;
- (4) mayor-council-manager;
- (5) council-manager; or
- (6) any other form of government authorized by law or by ordinance or charter ordinance of the city.

(b) Any city which has operated for four or more years under a form of government may abandon such form and adopt a different form of government. The provisions of K.S.A. 12-184, and amendments thereto, shall govern the procedure for the adoption or abandonment of such form of government.

(c) The governing body of the city may establish by ordinance any of the following:

- (1) The powers and duties of the governing body, including the mayor and other elected officials;
- (2) the terms of office of members of the governing body, including the mayor and other elected officials of either two, three or four years;
- (3) the election by ward or district of members of the governing body, if applicable;
- (4) the powers and duties of the city manager, if applicable;
- (5) the administrative departments of the city; and
- (6) other matters deemed appropriate by the governing body.

New Sec. 10. (a) Any city may adopt the commission-manager, mayor-council manager or council manager form of government in the manner herein provided and shall thereafter be governed by the provisions of this act. A proposition to adopt such form of government must first be submitted to a vote of the qualified electors of the city at any primary or general election. The governing body of the city may submit the proposition by resolution and must submit it upon the filing of a petition signed by at least 10% of the qualified electors of the city. The petition shall be headed "Petition for an election of the city of \_\_\_\_\_, Kansas, to vote on the adoption of the \_\_\_\_\_ (commission-manager, mayor-council manager or council manager) form of government," and shall be addressed to the governing body of the city, and be filed with the election officer of the county in which the city is located. The petition shall conform to the requirements of article 36 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, and its sufficiency shall be determined in the manner therein provided and shall be certified to the city clerk by the county election officer.

(b) The resolution or the petition shall establish the membership and terms of office of the governing body. Upon the adoption of a resolution or the certification of a petition as provided in this section, the governing body of the city shall submit the proposition at the next primary or general election. Notice thereof shall be published in the



manner provided by K.S.A. 25-105, and amendments thereto.

(c) The form of the ballots to be used at the election shall be as follows:

"Shall the city of \_\_\_\_\_ adopt the \_\_\_\_\_ (commission-manager, mayor-council manager or council manager) form of government and become a city operating under such form of government?"

Yes  No

If a majority of the votes cast shall be in favor of adopting the commission-manager, mayor-council manager or council manager plan of government, then at the next regular city election the governing body of the city shall be elected as provided in the resolution or petition.

New Sec. 11. (a) The governing body shall establish by ordinance the qualifications, oath and powers and duties and terms of office of the governing body.

(b) Any action taken by the city governing body shall be by a majority vote of the members unless a greater number of votes are specifically required by another provision of law.

(c) The city governing body shall appoint a city manager to be responsible for the administration and affairs of the city. The city manager shall see that all laws and ordinances are enforced. The city manager shall serve at the pleasure of the governing body.

(d) The city manager shall appoint and remove all heads of departments and all subordinate officers and employees of the city. All appointments shall be made upon merit and fitness alone.

New Sec. 12. Any city operating under the provisions of this act may abandon the commission-manager, mayor-council manager or council manager form of city government in the same manner as is provided in section 10, and amendments thereto, for the adoption of such form of city government except as herein otherwise provided, and except that the word "abandonment" instead of the word "adoption" shall be used in the petition therefor, and the word "abandon" instead of the word "adopt" shall be used in the form of the ballot and in the election proclamation. If a majority of votes cast upon the proposition shall be in favor of abandoning the commission-manager, mayor-council manager or council manager form of city government, then the city shall operate under the alternative form of government established in the resolution or petition.

New Sec. 13. (a) All unified school districts shall make suitable school buildings available for polling places at the request of a county election officer for the county in which all or any portion of the school district is located.

(b) The county election officer shall give notice on or before January 1 of each year to the superintendent of the school district of the need to use one or more school buildings as polling places for any primary or general election.

(c) The terms "primary election" and "general election" shall have the meanings as provided in K.S.A. 25-2502, and amendments thereto.

New Sec. 14. (a) The secretary of state shall develop a public information program to inform the public generally of changes made as a result of moving spring elections to fall elections. Such public information program shall include, at a minimum, the explanation of which public office elections are being transferred from spring to fall elections. The program shall include the use of advertisements and public service announcements as well as posting of information on the opening pages of the official internet websites of the secretary of state and county election officers. The secretary of state and county election officers shall develop dedicated websites to provide voter education and sample

ballots for elections.

(b) The county election officers in consultation with the secretary of state shall develop ways to reduce the ballot length and expedite the voting process on election days.

New Sec. 15. (a) The secretary of state shall develop the style and form of the official primary ballot and the official general election ballot for municipal offices.

(b) The declaration of intent to become a candidate shall be prescribed by the secretary of state. The declarations shall be filed with the county election officer not later than 12 noon, June 1, prior to the primary election in both even-numbered and odd-numbered years, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.

(c) For municipalities where a primary election is not authorized or otherwise required by law, the declaration of intent to become a candidate shall be filed with the county election officer not later than 12 noon, September 1, prior to the general election in odd-numbered years, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.

(d) The secretary of state shall establish primary election procedures for primary elections for municipalities.

(e) The secretary of state shall establish general election procedures for general elections for municipalities.

(f) County election officers shall conduct municipal elections in odd-numbered years and elections in even-numbered years if needed.

(g) The secretary of state shall adopt rules and regulations to implement this section on or before July 1, 2016.

New Sec. 16. Sections 7, 8 and 13 through 16, and amendments thereto, may be cited as and shall be known as the help Kansas vote act.

Sec. 17. K.S.A. 2-623 is hereby amended to read as follows: 2-623. (a) Prior to July 1 of any year, any two or more county extension councils may establish an extension district composed of all of the counties of such councils by entering into an agreement in accordance with this section to combine the extension programs for each county involved into one extension program serving the extension district. No such agreement shall be effective unless such agreement has received the prior approval of: (1) The board of county commissioners of each county included in the proposed extension district, subject to the provisions of subsection (i); (2) the executive board of the extension council of each county included in the proposed extension district and the director of extension of Kansas state university of agriculture and applied science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(b) Prior to July 1 of any year, one or more county extension councils and the governing body of any existing extension district may establish a new extension district by entering into an agreement in accordance with this section to combine the extension programs for each such county and such district into one extension program serving a new extension district composed of all counties represented by such county extension councils and the area served by the existing extension district. No such agreement shall be effective unless such agreement has received the prior approval of: (1) The board of county commissioners of each county being added to the existing extension district, subject to the provisions of subsection (i); (2) the executive board of the county extension council of each county being added to the existing extension district, the governing

body of the existing extension district and the director of extension of Kansas state university of agriculture and applied science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(c) On July 1 after the approval under subsection (a) or (b) of an agreement to establish an extension district, such extension district is hereby established and shall constitute a body corporate and politic possessing the usual powers of a corporation for public purposes under the name of "extension district no. \_\_\_\_\_ (the number designated by the director of extension), \_\_\_\_\_ counties (naming the counties included within the district), state of Kansas." Each extension district is a taxing subdivision and has the power to contract, sue and be sued and to acquire, hold and convey real and personal property in accordance with law.

(d) Upon the establishment of an extension district under subsection (a) or (b), all of the personnel and property of each of the extension programs which are combined into the new district extension programs shall be transferred to the new extension district and shall be subject to the authority of the governing body of the extension district in accordance with the agreement to establish the extension district.

(e) Upon the establishment of an extension district under subsection (a), the board of county commissioners of each county joining in the establishing of an extension district shall appoint four qualified electors to membership on the governing body of the district. The terms of all members so appointed shall commence on July 1 following their appointment. Of the members so appointed two members shall serve for terms ending upon the election and qualification of their successors at an election held on the ~~first Tuesday in April of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the first Tuesday in April of the second odd-numbered year following their appointment~~ following the first Monday in November of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday succeeding the first Monday in November of the second odd-numbered year following their appointment.

(f) In the case of one or more counties being included in an existing extension district under subsection (b), the board of county commissioners of each county being included in an existing extension district shall appoint four qualified electors of the county to membership on the governing body of the expanded district. The terms of all members so appointed shall commence on July 1 following their appointment. Of the members so appointed two members shall serve for terms ending upon the election and qualification of their successors at an election held on the ~~first Tuesday in April of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the first Tuesday in April of the second odd-numbered year following their appointment~~ Tuesday following the first Monday in November of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday following the first Monday in November of the second odd-numbered year following their appointment. The offices of the members of the governing body of the existing extension district shall continue in existence and the persons in such offices shall be members of

the governing body of the expanded extension district which is established on July 1 for the remainder of their existing terms of office.

(g) In addition to other required provisions, each agreement entered into under this section shall specify the permissible method or methods to be employed in disposing of the assets and liabilities of the extension district in the event that one or more counties withdraw from the extension district under K.S.A. 2-628, and amendments thereto.

(h) Each agreement entered into under this section or under K.S.A. 2-628, and amendments thereto, prior to and as a condition precedent to its entry into force, shall be submitted to the attorney general who shall determine whether the agreement is in proper form and compatible with this act and the other laws of Kansas. The attorney general shall approve any agreement submitted for approval under this section or K.S.A. 2-628, and amendments thereto, unless the attorney general finds that the submitted agreement does not meet the requirements of this act. In such case, the attorney general shall specify in writing to the proposed parties to the agreement and to each other entity required to approve the agreement, the specific respects in which the proposed agreement fails to meet the requirements of law. Failure by the attorney general to disapprove an agreement submitted pursuant to this subsection within 90 days of its submission shall constitute approval of the agreement by the attorney general.

(i) Prior to approving an agreement under this section, the board of county commissioners of each county to be included in a proposed extension district under subsection (a) or to be added to an existing extension district under subsection (b), as the case may be, shall adopt a resolution stating the intention of the board of county commissioners to approve such agreement and specifying the counties that are to be included in the extension district. Such resolution shall be published once each week for two consecutive weeks in the official county newspaper. If, within 60 days following the last publication of the resolution, a petition in opposition to the approval of the agreement and the inclusion of the county in the extension district is signed by not less than 5% of the qualified electors of the county and is filed with the county election officer, such board of county commissioners shall not approve such agreement and the county shall not be included in the extension district unless and until the same is approved by a majority of the qualified electors of the county voting thereon at a primary election or general election or at a special election called and held for such purpose. Any such special election shall be called, noticed and held in accordance with the provisions of K.S.A. 10-120, and amendments thereto.

Sec. 18. K.S.A. 2014 Supp. 2-624 is hereby amended to read as follows: 2-624. (a) The governing body of each extension district shall be composed of four representatives from each county included in the extension district. At the conclusion of the terms of the members first appointed to membership on the governing body of the district, the four members representing each county in an extension district shall be elected in a county-wide election by the qualified electors of the county.

(b) At the conclusion of the terms of the members first appointed to membership on the governing body of the district, each member of the governing body shall hold office for a term of four years and until such member's successor is elected and qualified. Each such term of office shall commence on the date of receipt of certification of election by the member elected and shall continue until the member's successor is elected and qualified.

(c) (1) ~~Except as otherwise provided in this act, an~~ The election to elect successors

to members of the governing body whose terms are expiring shall be held on the ~~first Tuesday in April~~ following the first Monday in November of each odd-numbered year.

(2) Elections to choose members of the governing body of an extension district shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by this act. ~~Not later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in April in election years, each person desiring to be a candidate for membership on the governing body, in any election, shall file a declaration of candidacy, accompanied by a filing fee of \$5, with the county election officer of the county represented by the member of the governing body whose successor is to be elected, as a candidate in such election. The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. The county election officer in making up the ballots and in placing the names thereon shall place the names on the ballots in alphabetical order. Any person desiring to be a candidate for election to the governing body shall file a candidate's declaration of intention with the county election officer of the county represented by the member of the governing body whose successor is to be elected. Such candidate's filing shall be made in the manner as provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto.~~

(3) ~~The county election officer of each county within the extension district shall appoint election boards as provided by law for other elections and shall designate places for holding the election. The county election officer shall cause to be ascertained the names of all persons within the district who are qualified electors, and shall furnish lists thereof to the judges of the election. Notice of the time and place of holding each election, signed by the county election officer, shall be given in a newspaper published in the county and posted in a conspicuous place in the office of the governing body at least five days before the holding thereof shall be published by the county election officer in a newspaper published in the county in accordance with K.S.A. 25-105 and 25-209, and amendments thereto.~~

(4) ~~All direct election expenses shall be paid by the extension district. Election officials shall receive the same compensation as provided under the general election laws.~~

(d) Any vacancy in the membership of the governing body of an extension district shall be filled by appointment by the governing body for the unexpired term of office. Each member so appointed shall be a resident of the county which was represented by the member creating the vacancy.

(e) The governing body of each extension district shall organize annually ~~in July~~ January by electing from among its members a chairperson, vice-chairperson, secretary and treasurer.

Sec. 19. K.S.A. 13-1220 is hereby amended to read as follows: 13-1220. ~~In each city of the first class that now has or hereafter acquires a population of more than one hundred thousand inhabitants, which now or hereafter owns and operates a municipal waterworks plant and a municipal electric light plant, there shall be~~ Any city may establish an administrative agency known as the board of public utilities of such city, to be elected in the manner hereinafter provided. The board shall manage, operate, maintain and control the daily operation of the water plant and electric-light plant of such city, and shall make all such rules and regulations as are necessary for the safe, economical and efficient operation and management of such water plants and electric-light plants. The board may also improve, extend or enlarge the water plants and electric-light plants

as hereinafter provided, and furnish a supply of water, light, heat and power for domestic, industrial and municipal purposes.

Sec. 20. K.S.A. 13-1221 is hereby amended to read as follows: 13-1221. (a) The board of public utilities shall consist of six members, three of which shall be nominated and elected by the city at large and three of which shall be elected by the qualified electors of the city within each of the districts established pursuant to subsection (b). Members of the board shall be elected on a nonpartisan basis. Members elected to the board of public utilities after the effective date of this act shall hold their offices for terms of four years, and until their successors are elected and qualified. Each of the members elected from districts shall be qualified voters of the districts from which elected. Elections of members of the board shall be held at the ~~time of the general city election in odd-numbered years.~~ The provisions of article 17 of chapter 13 of the Kansas Statutes Annotated, pertaining to the election and removal of officers, shall govern so far as applicable.

(b) ~~The board shall elect from its own number a president and vice-president and shall appoint a secretary. Notwithstanding the provisions of K.S.A. 13-1222, relating to a quorum for the transaction of business and a vote for action by the board; Any vacancy occurring in the board shall be filled by a majority vote of the members remaining on the board. Where a vacancy has occurred in the membership of any board of public utilities, a member selected to fill such vacancy shall serve until the next city November in odd-numbered years election, at which time a successor shall be elected to serve the remainder of the unexpired term, if any.~~

~~(b) The districts numbered 1, 2 and 3 established in 1979 shall be subject to alteration at the first meeting of the board in each fourth year thereafter, but such alteration shall only be for the purpose of establishing and maintaining the equality of population among the districts.~~

Sec. 21. K.S.A. 19-2760 is hereby amended to read as follows: 19-2760. (a) An election shall be held in each improvement district on the Tuesday following the first Monday in November ~~of 1978~~ and of each ~~even-numbered~~ odd-numbered year thereafter for the purpose of electing three directors of such district, except that the first election following the establishment of such district shall be held at a time fixed by the board of county commissioners of the county in which the district is located.

(b) The directors of an improvement district shall serve for terms of two years, ~~except that directors elected prior to the Tuesday following the first Monday in November, 1978, and directors elected at the first election following the establishment of the district shall serve until their successors are elected.~~

(c) ~~(1)~~ From and after July 1, 2006, Each director shall:

~~(A)~~ (1) Own land within the improvement district; or

~~(B)~~ (2) reside in the improvement district.

~~(2) Notwithstanding the provisions of paragraph (1), each director elected on or before June 30, 2006, shall be allowed to serve the remainder of such director's current term of office.~~

Sec. 22. K.S.A. 19-3505 is hereby amended to read as follows: 19-3505. (a) Except as otherwise provided by this section, the governing body of any water district to which this section applies shall be a five-member board holding positions numbered one to five, inclusive. Each member shall be elected and shall hold office from ~~May 1 following such member's election until April 30; the second Monday in January succeeding~~

such member's election until four years thereafter and until a successor is elected and has qualified.

The first election of members of the governing body of any water district created after the effective date of this act shall be held on the first Tuesday in August of any even-numbered year, at which time members shall be elected for terms beginning on September 1 of the same year, and ending on April 30 of the third year following the beginning of such term, to positions numbered three, four and five. At such first election, members shall be elected for terms ending on April 30 of the first year following the beginning of such terms, to positions numbered one and two. Members first elected to positions one and two shall have terms of approximately eight months. Elections shall be ~~thereafter held on the first Tuesday in April of each odd-numbered year~~ following the first Monday in November of each odd-numbered year for the member positions whose terms expire in that year.

(b) From and after April 30, 1991, the governing body of the water district shall be composed of seven members. At the election held in 1991, positions numbered 1, 2, 6 and 7 shall be elected to four-year terms. At the election in 1993, positions numbered 3, 4 and 5 shall be elected to four-year terms.

(c) Elections shall be held on the ~~first Tuesday in April of each odd-numbered~~ following the first Monday in November of each odd-numbered year for the positions which terms expire in that year. Members shall hold office from ~~May 1, the second Monday in January~~ following such member's election until ~~April 30~~; four years thereafter and until a successor is elected and qualified. All elections shall be nonpartisan and shall be called and conducted by the county election officer. Laws applying to other local elections occurring at the same time and in the same locality shall apply to elections under this act to the extent that the same can be made to apply. Notice of the time and place of holding each election shall be published by the county election officer in a newspaper published in the county in accordance with procedures established in K.S.A. 25-105 and 25-209, and amendments thereto.

(d) In January following each election, the board shall organize and not later than the second regular meeting following each election shall select from among its members a chairperson and a vice-chairperson. The vice-chairperson shall preside over any meetings at which the chairperson is not present. Vacancies occurring during a term shall be filled for the unexpired term by appointment by the remaining members. All members shall take an oath of office as prescribed for other public officials. The members of the board shall be qualified electors in the water district. Prior to accepting office, the water district shall obtain for each member-elect a corporate surety bond to the state of Kansas in the amount of \$10,000, conditioned upon the faithful performance of the member's duties and for the true and faithful accounting of all money that may come into the member's hands by virtue of the office. Such bonds shall be filed in the office of the county clerk for the county in which the major portion of such water district is located after approval by the board of county commissioners of such county.

(e) Each member of the board shall receive a monthly salary in an amount determined by the board and shall be reimbursed for all necessary and reasonable expenses incurred in performing official assigned duties.

Sec. 23. K.S.A. 19-3507 is hereby amended to read as follows: 19-3507. (a) The water district election shall be held in each election precinct, a part or all of which is located within such water district, except that if no other election is being held in a



given election precinct on the same date as the water district election, the county election officer may provide one or more convenient voting places where the water district electors of such precinct may vote, which may be a voting place located in another precinct. The county election officer shall designate such voting places and the persons entitled to vote thereat in the election notice. The county election officer shall make a report in writing to the board of county commissioners of such election precincts and voting places, which report shall be filed with the county clerk of the county or counties in which such precincts and voting places are located and an entry thereof made upon the journal of the board or boards of county commissioners of such county or counties and if any change shall be made in such voting precincts and voting places by the county election officer, the same shall in like manner be reported to the board or boards of county commissioners, filed and entered as aforesaid. The polls for any election held under this act shall be open between the hours of 7:00 a.m. and 7:00 p.m.

~~All (b) Any qualified persons person desiring to be voted upon as a candidate for a position as a member of such board shall on or before 12:00 o'clock noon on the Tuesday which precedes by 10 weeks the first Tuesday in April of the year in which the election is being held, which date shall be stated in the publication notice of the election; file a candidate's declaration of intention in the manner provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto, with the county election officer, a statement directing such officer to place such person's name on the ballot as a candidate for member of the board of the water district in such election; indicating the number of the position for which such person is filing. No candidate shall be permitted to withdraw as a candidate after the deadline for filing such statements of candidacy. There shall be no primary election for members of the water district board. The county election officer shall publish names of all candidates in a newspaper of general circulation within the water district not less than 10 days before such election in accordance with K.S.A. 25-209, and amendments thereto. The county election officer shall provide for use of voting machines or printed ballots in each election precinct or voting place. Where printed ballots are prepared, the same shall be done at the expense of the water district. The names of candidates for each member position shall be rotated on the ballots in such a manner that each candidate shall be given an equitable opportunity to have such candidate's name appear first on the ballot.~~

(c) Where the only election being conducted in an election precinct or voting place is the water district election, The cost of providing judges and clerks in such precinct or voting place shall be borne entirely by the water district, but where held in conjunction with other elections, the cost shall be prorated in the manner provided by article 22 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

(d) At least five days before any election, the county election officers of the various counties within which a portion of such district is located, in cooperation with the water district board, shall determine the voting areas where no other elections will be held in conjunction with the water district and the names of all qualified electors residing in the water district and located in such precincts and shall determine the election precincts which contain only a part of the water district and the names of all qualified electors residing in the water district and in such election precincts. A list of the qualified electors determined as hereinbefore provided shall be furnished by the county election officer to the judges of the voting precincts or voting places where such electors are entitled to vote.



(e) Qualified electors of any election precinct, the entirety of which is within the water district, shall be entitled to vote in such precinct and a separate list of their names need not be furnished.

(f) A voter shall not be eligible to vote in any election precinct other than the one in which such person resides unless no election is being held in such precinct, in which event, such voter shall be entitled to vote in the voting place designated by the county election officer.

(g) Such list furnished by the county election officer to the judges of each precinct shall be conclusive at all elections, except that one desirous of voting, whose name does not appear on such list, may proceed to the county election officer of the county and such officer may administer oaths and affirm witnesses to determine the right of anyone to vote who may claim erroneous omission from such list, and if such officer issues a certificate entitling the voter to vote, such certificate shall be accepted by the judges and clerks of the election. The list so furnished by the county election officer shall be conclusive at all elections held within the same year that the list is furnished.

Sec. 24. K.S.A. 2014 Supp. 24-412 is hereby amended to read as follows: 24-412. (a) ~~Subject to the provisions of subsection (b), except as otherwise provided in this section, an election to choose three directors in each district as their successors, shall be held on the first Tuesday in April, 1983, and an election shall be held each four years thereafter, on the first Tuesday in April, to choose directors~~ An election to choose three directors in each district shall be held on the Tuesday following the first Monday in November of 2017, and an election shall be held each four years thereafter, on the Tuesday following the first Monday in November, to choose directors. Any director elected in any district in 2015 shall hold such office until such successor is elected and qualified.

(b) On and after January 1, 2012, the board of directors of drainage district No. 2 of Finney county, Kansas, shall be elected as provided in K.S.A. ~~2012~~ 2014 Supp. 24-139a, and amendments thereto.

Sec. 25. K.S.A. 2014 Supp. 24-414 is hereby amended to read as follows: 24-414. (a) Elections to choose directors shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by law, ~~and all persons desiring to be voted upon as director, in any election, shall, not later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in April in election years, file a declaration of candidacy, any qualified person desiring to be a candidate for director shall file a candidate's declaration of intention in the manner provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto,~~ accompanied by a filing fee of ~~\$5~~ \$20, with the county election officer of the county wherein the district is located, ~~as a candidate in such election;~~ and the election officer in making up the ballots ~~and in placing the names thereon shall place the names on the ballots in alphabetical order, but the returns of all special or bond elections shall be made to the secretary and canvassed by the board of directors.~~ The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. ~~The county election officer of the county wherein the drainage district is situated shall appoint election boards as provided by law for other elections and shall designate places for holding the election.~~ The county ~~clerk~~ election officer shall cause to be ascertained the names of all persons within the district who are also qualified electors, and shall furnish lists thereof to the judges of the election.

(b) Notice of the time and place of holding each election, ~~signed by the county election officer,~~ shall be given published in a newspaper published in the county in accordance with procedures established in K.S.A. 25-105 and 25-209, and amendments thereto, and posted in a conspicuous place in the office of the board of directors at least five days before the holding thereof. At all elections and meetings held under the provisions of this act, only persons who are qualified electors shall be entitled to vote. In counties having a population of more than 150,000, at all elections and meetings held under the provisions of this act, only persons who are taxpayers and residents of the district who are qualified electors shall be entitled to vote. All election expenses shall be paid for out of the general fund of the drainage district. Election officials shall receive the same compensation as provided under the general election laws.

(c) As used in this section, "taxpayer" means any person who owns any real property or tangible property within the district who pays taxes assessed on such property.

Sec. 26. K.S.A. 2014 Supp. 24-459 is hereby amended to read as follows: 24-459.

(a) The board of directors of any drainage district incorporated pursuant to K.S.A. 24-458, and amendments thereto, shall consist of three qualified persons as defined in ~~paragraph (3) of subsection (c) of this section~~ (3).

(b) The directors for the first term after the incorporation of the drainage district shall be selected and designated in the petition for the incorporation of the district and shall be declared directors by the county commissioners to which the petition is presented.

(c) The directors shall hold office until ~~the first Tuesday in April next~~ second Monday in January of the next even-numbered year after the incorporation of the district, at which time and every four years thereafter directors shall be elected at the November odd-year elections and shall hold their office for the term of four years and until their successors are elected and qualified.

(d) Every qualified person of the district shall be entitled to vote at the election or at any election which may be held in the district.

(e) For the purposes of this section:

(1) "Owner" or "person who owns land" means any person or entity who is the record owner of the fee in any real estate in the district or the fee in the surface rights of any real estate in the district, but the owners of an oil and gas lease, mineral rights or interest, easements or mortgages as such shall not be considered owners, and school districts, cemetery associations, and municipal corporations shall not be considered owners.

(2) "Taxpayer" means any owner who has paid all taxes currently due on such real estate.

(3) "Qualified person" means any taxpayer 18 years of age or older, whether a resident of the district or not. A taxpayer who is a qualified person and who is not an individual may designate an individual to cast its vote or to serve as a director of the district.

(f) The county clerk shall determine the qualified persons entitled to vote at any election in the district. Any entity desiring to vote at an election shall register the name of its designated representative with the county election officer no later than ~~44~~ 21 days in advance of any such election.

Sec. 27. K.S.A. 24-504 is hereby amended to read as follows: 24-504. Whenever a majority of the counties to be included within the proposed drainage district have repor-

ted in favor of the organization of ~~said the~~ drainage district, under the provisions of this act, the secretary of state shall report ~~such the~~ fact to the governor of Kansas, who shall ~~forthwith~~ declare, by suitable proclamation, the territory described in ~~said the~~ petition and set forth in the reports of ~~said the~~ commissioners to constitute a public corporation, and the freeholders owning lands within ~~such the~~ bounds, and resident within the state of Kansas, to be incorporated as a drainage district under the name designated in ~~said the~~ petition, and ~~thenceforth~~ the ~~said~~ territory and the freeholders thereof, who are residents of the state of Kansas, and their successors, shall constitute a body politic and corporate under ~~said the~~ corporate name and shall give perpetual succession.

In ~~said the~~ proclamation the governor shall designate the ~~last Tuesday of the next succeeding calendar month~~ Tuesday following the first Monday in November of the odd-numbered year following the issuing of ~~said the~~ proclamation on which an election shall be held in each of the counties to be included within the proposed drainage district for the purpose of electing directors of ~~said the~~ corporation, in number and in the manner hereinafter provided. The secretary of state shall make and keep full and complete records of the organization of all drainage districts organized under the provisions of this act, showing the findings and decisions of the boards of county commissioners and all of the acts of the governor in connection with the organization thereof, a true and correct copy of which he shall forward to the ~~said~~ boards of county commissioners within five days after the issuing of the governor's proclamation provided for in this section, and they shall spread the same upon their records.

Sec. 28. K.S.A. 2014 Supp. 24-506 is hereby amended to read as follows: 24-506. (a) The board of directors of any drainage district incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto, shall consist of one person from each county in the district if the number of counties is odd, but if the number of counties is even, then there shall be an additional director at large. If the drainage district is located wholly within one county, the number of directors shall be three. Except as provided in subsection (b), the directors shall be freeholders who shall be residents of Kansas, whose lands in whole or in part are located within the district. The directors shall hold their offices for a term of four years and until their successors are elected and qualified. Elections to choose directors, except the first, shall be held on the ~~first Tuesday in April~~ Tuesday following the first Monday in November of the next odd-numbered year and every four years thereafter.

(b) If there are no residents in the drainage district, any owner of land within the district shall be a qualified voter and shall be qualified to hold the office of director.

Sec. 29. K.S.A. 2014 Supp. 25-205 is hereby amended to read as follows: 25-205.

(a) Except as otherwise provided in this section, the names of candidates for national, state, county and township offices shall be printed upon the official primary ballot when each shall have qualified to become a candidate by one of the following methods and none other: (1) They shall have had filed in their behalf, not later than 12 noon, June 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as provided for in this act; or (2) they shall have filed not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the fee required by law. Such declaration shall be prescribed by the secretary of state.

(b) Nomination petitions shall be in substantially the following form:

I, the undersigned, an elector of the county of \_\_\_\_\_, and state of Kansas, and a duly registered voter, and a member of \_\_\_\_\_ party, hereby nominate \_\_\_\_\_, who resides in the township of \_\_\_\_\_ (or at number \_\_\_\_\_ on \_\_\_\_\_ street, city of \_\_\_\_\_), in the county of \_\_\_\_\_ and state of Kansas, as a candidate for the office of (here specify the office) \_\_\_\_\_, to be voted for at the primary election to be held on the first Tuesday in August in \_\_\_\_\_, as representing the principles of such party; and I further declare that I intend to support the candidate herein named and that I have not signed and will not sign any nomination petition for any other person, for such office at such primary election.

(HEADING)

Name of Signers.	Street Number or Rural Route (as registered).	Name of City.	Date of Signing.
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All nomination petitions shall have substantially the foregoing form, written or printed at the top thereof. No signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof.

(c) Each signer of a nomination petition shall sign but one such petition for the same office, and shall declare that such person intends to support the candidate therein named, and shall add to such person's signature and residence, if in a city, by street and number (if any); or, otherwise by post-office address. No signature shall be counted unless the place of residence of the signer is clearly indicated and the date of signing given as herein required and if ditto marks are used to indicate address they shall be continuous and clearly made. Such sheets shall not be cut or pasted together.

(d) All signers of each separate nomination petition shall reside in the same county and election district of the office sought. The affidavit described in this paragraph of a petition circulator as defined in K.S.A. 2014 Supp. 25-3608, and amendments thereto, or of the candidate shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator, a verification, signed by the circulator or the candidate, to the effect that such circulator or the candidate personally witnessed the signing of the petition by each person whose name appears thereon.

(e) Except as otherwise provided in subsection (g), nomination petitions shall be signed:

(1) If for a state officer elected on a statewide basis or for the office of United States senator, by voters equal in number to not less than 1% of the total of the current voter registration of the party designated in the state as compiled by the office of the secretary of state;

(2) if for a state or national officer elected on less than a statewide basis, by voters equal in number to not less than 2% of the total of the current voter registration of the party designated in such district as compiled by the office of the secretary of state, except that for the office of district magistrate judge, by not less than 2% of the total of the current voter registration of the party designated in the county in which such office is to be filled as certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto;

(3) if for a county office, by voters equal in number to not less than 3% of the total of the current voter registration of the party designated in such district or county as

compiled by the county election officer and certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto; and

(4) if for a township office, by voters equal in number to not less than 3% of the total of the current voter registration of the party designated in such township as compiled by the county election officer and certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto.

(f) Subject to the requirements of K.S.A. 25-202, and amendments thereto, any political organization filing nomination petitions for a majority of the state or county offices, as provided in this act, shall have a separate primary election ballot as a political party and, upon receipt of such nomination petitions, the respective officers shall prepare a separate state and county ballot for such new party in their respective counties or districts thereof in the same manner as is provided for existing parties.

(g) In any year in which districts are reapportioned for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas or member of the state board of education:

(1) If new boundary lines are defined and districts established in the manner prescribed by law on or before May 10, nomination petitions for nomination to such offices shall be signed by voters equal in number to not less than 1% of the total of the current voter registration of the party designated in the district as compiled by the office of the secretary of state.

(2) If new boundary lines are defined and districts established in the manner prescribed by law on or after May 11, nomination petitions for nomination to the following offices shall be signed by registered voters of the party designated in the district equal in number to not less than the following:

(A) For the office of representative in the United States congress 1,000 registered voters;

(B) for the office of member of the state board of education 300 registered voters;

(C) for the office of state senator 75 registered voters; and

(D) for the office of state representative 25 registered voters.

(h) In any year in which districts are reapportioned for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas or member of the state board of education:

(1) If new boundary lines are defined and districts established in the manner prescribed by law on or before May 10, the deadline for filing nomination petitions and declarations of intention to become a candidate for such office, accompanied by the fee required by law, shall be 12 noon on June 1, or if such date falls on a Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or holiday.

(2) If new boundary lines are defined and districts established in the manner prescribed by law on or after May 11, the deadline for filing nomination petitions and declarations of intention to become a candidate for such office, accompanied by the fee required by law, shall be 12 noon on June 10, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.

(i) Primary elections for candidates for municipal office shall be held when otherwise required by law. The names of candidates for municipal offices shall be printed upon the official primary ballot in odd-numbered year elections and in even-numbered

years when needed. Persons shall become qualified to become a candidate by one of the following methods:

(1) They shall have filed, not later than 12 noon, on June 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as otherwise provided by law; or

(2) they shall have filed, not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the \$20 fee required by law. Such declaration shall be prescribed by the secretary of state as provided in section 15, and amendments thereto.

Sec. 30. K.S.A. 25-209 is hereby amended to read as follows: 25-209. (a) As soon as possible after the filing deadline, the secretary of state shall certify to each county election officer the name and post-office address of each person who has filed valid nomination petitions or a declaration of intent to become a candidate for United States senator or representative or for state office, together with the designation of the office for which each is a candidate and the party or principle which the candidate represents.

(b) The county election officer shall forthwith, upon receipt thereof, publish for three-(3) consecutive weeks in the official paper, a notice which shall set forth under the proper party designation, the title of each national, state, county and township office any part of the district of which is in the county, the names and addresses of all persons certified by the secretary of state as candidates for any national or state office any part of the district of which is in the county and, in addition thereto, the names and addresses of all persons from whom valid nomination papers or declarations have been filed in the county election officer's office, giving the name and address of each, the day of the primary election, the hours during which the polls will be open and stating that the primary election will be held at the regular voting places. Where such voting places are not well established and customarily known the published notice herein provided for shall give the location of such voting places.

(c) The secretary of state and county election officers shall utilize the procedures established in this section to the extent applicable for municipal elections conducted in the fall of both odd-numbered and even-numbered years when needed.

Sec. 31. K.S.A. 25-210 is hereby amended to read as follows: 25-210. (a) The official primary election ballot for national and state offices and the official primary election ballot for county and township offices of each political party shall be arranged on the ballot, printed, voted, and canvassed in the same manner as is now or hereafter provided by law for the arrangement, printing, voting, and canvassing of official general ballots for national and state offices and official general ballots for county and township offices, except as otherwise provided by law.

(b) The official primary election ballot for municipal elections in odd-numbered years shall be arranged and printed by the county election officer.

Sec. 32. K.S.A. 25-212 is hereby amended to read as follows: 25-212. (a) In case there are nomination petitions or declarations of intention to become a candidate on file for more than one candidate or for more than one pair of candidates for governor and lieutenant governor, of the same party for any national or state office, the secretary of state shall divide the state or appropriate part thereof, into as many divisions as there are names to go on such party ballot for that office. Such divisions shall be as nearly equal in number of members of such party as is convenient without dividing any one county.

In making such division the secretary of state shall take the alphabetical list of counties in regular order until the secretary of state gets the required proportion of party members of such party based upon the party affiliation lists as shown by the certificates of the respective county election officers, and so on through the list of counties until the secretary of state gets the proper proportion of party members in each division. The secretary of state shall also take the alphabetical list of candidates or pairs of candidates in regular order and in certifying to the county election officer the list of names for whom nomination petitions or declarations of intent to become a candidate have been filed, shall place one name or pair of candidates at the head of the list in the first division of counties, another in the second division, and so on with all the candidates for any particular office, so that every candidate or pair of candidates for any office shall be at the head of the list in one division of the state and second in another division thereof, and so forth. When, in the case of candidates for the office of congressman, district judge, district magistrate judge, state senator, state representative or state board of education member, the secretary of state finds that the secretary of state cannot get a fair proportion of party members to give each candidate for congressman, district judge, district magistrate judge, state senator, state representative or state board of education member in any given district an equitable or fair opportunity to have the candidate's name first on the ballot in the respective counties of the district, the secretary of state shall order the county election officers in the various counties of the district to rotate the names of the candidates for such district offices according to precinct. If voting machines are used the arrangement of names of candidates or pair of candidates for all offices on the voting machines shall be rotated, as near as may be, according to precinct.

The arrangement of the names certified by the secretary of state shall govern the county election officer in arranging the primary election ballot, and the county election officer in preparing the ballot for such officer's county shall follow the same arrangement as provided in this section for the secretary of state, for the candidates nominated for county offices, using the township and precincts of the county in making the division.

(b) The secretary of state by rules and regulations adopted on or before July 1, 2016, shall establish the arrangement of names as provided by law for the official primary ballot for municipal elections.

Sec. 33. K.S.A. 2014 Supp. 25-213 is hereby amended to read as follows: 25-213.

(a) At all national and state primary elections, the national and state offices as specified for each in this section shall be printed upon the official primary election ballot for national and state offices and the county and township offices as specified for each in this section shall be printed upon the official primary election ballot for county and township offices.

(b) The official primary election ballots shall have the following heading:

OFFICIAL PRIMARY ELECTION BALLOT

\_\_\_\_\_ Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space, if any is provided, and make a cross or check mark in the square to the left.

The words national and state or the words county and township shall appear on the



line preceding the part of the form shown above.

The form shown shall be followed by the names of the persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections, and for the national and state offices in the following order: United States senator, United States representative from \_\_\_\_ district, governor and lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of insurance, senator \_\_\_\_ district, representative \_\_\_\_ district, district judge \_\_\_\_ district, district magistrate judge \_\_\_\_ district, district attorney \_\_\_\_ judicial district, and member state board of education \_\_\_\_ district. For county and township offices the form shall be followed by the names of persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections in the following order: Commissioner \_\_\_\_ district, county clerk, treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer, township clerk. When any office is not to be elected, it shall be omitted from the ballot. Other offices to be elected but not listed, shall be inserted in the proper places. For each office there shall be a statement of the number to vote for.

To the left of each name there shall be printed a square. Official primary election ballots may be printed in one or more columns. The names certified by the secretary of state or county election officer shall be printed on official primary election ballots and no others. In case there are no nomination petitions or declarations on file for any particular office, the title to the office shall be printed on the ballot followed by a blank line with a square, and such title, followed by a blank line, may be printed in the list of candidates published in the official paper. No blank line shall be printed following any office where there are nomination petitions or declarations on file for the office except following the offices of precinct committeeman and precinct committeewoman.

(c) Except as otherwise provided in this section, no person's name shall be printed more than once on either the official primary election ballot for national and state offices or the official primary election ballot for county and township offices. No name that is printed on the official primary election ballot as a candidate of a political party shall be printed or written in as a candidate for any office on the official primary election ballot of any other political party. If a person is a candidate for the unexpired term for an office, the person's name may be printed on the same ballot as a candidate for the next regular term for such office. The name of any candidate on the ballot may be printed on the same ballot as such candidate and also as a candidate for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for national and state offices shall be printed or written in elsewhere on such ballot or on the official primary election ballot for county and township offices except for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for county and township offices shall be printed or written in on the official primary election ballot for national and state offices or elsewhere on such county and township ballot except for precinct committeeman or committeewoman.

(d) No person shall be elected to the office of precinct committeeman or precinct committeewoman where no nomination petitions or declarations have been filed, unless the person receives at least five write-in votes. As a result of a primary election, no person shall receive the nomination and no person's name shall be printed on the official general election ballot when no nomination petitions or declarations were filed, unless the person receives votes equal in number to not less than 5% of the total of the current



voter registration designated in the state, county or district in which the office is sought, as compiled by the office of the secretary of state, except that a candidate for township office may receive the nomination and have such person's name printed on the ballot where no nomination petitions or declarations have been filed if such candidate receives three or more write-in votes. No such person shall be required to obtain more than 5,000 votes.

(e) The secretary of state by rules and regulations shall develop the official ballot for municipal elections in odd-numbered year elections.

Sec. 34. K.S.A. 25-610 is hereby amended to read as follows: 25-610. (a) The secretary of state shall furnish to each county election officer forms for ballots in their respective counties. The secretary of state shall prepare a rotation of the different candidates appearing on the official general ballot for the national and state offices for each such office. Such rotation shall be developed and arranged so that each candidate shall have an equal opportunity as near as practicable for the respective offices to which they are nominated. In case there is more than one candidate for any national or state office, the secretary of state shall divide the state or part thereof, into as many divisions as there are names to go on the ballot for each particular office. In making such division the secretary of state shall divide, in regular order, the alphabetical list of counties into the required number of divisions, in such a manner that all divisions are as nearly equal as convenient in the number of registered voters in such division as compiled by the office of the secretary of state. The secretary of state, in certifying the list of names of candidates to the county election officers, shall assign, in regular order from the alphabetical list of candidates for each office, the ballot position for each candidate in such a manner that every candidate for any office shall occupy a different ballot position in each division. When, in the case of candidates for national or state offices elected on less than a statewide basis, the secretary of state finds it impossible to make a division which allows each such candidate in any given district an equitable or fair opportunity to have such candidate's name first on the ballot in the respective counties of the district, the secretary of state shall order the county election officers in the various counties of the district to rotate the names of the candidates for such district offices according to precinct to obtain an equitable division. The names of candidates for the same office but for different terms of service therein shall be arranged in groups according to the length of their respective terms.

In the case of the governor and lieutenant governor running together, when the word "candidate" is used in this section, it shall mean pair of candidates.

(b) The secretary of state shall establish the general election ballot styles for general elections in odd-numbered year elections for municipalities by rules and regulations adopted on or before July 1, 2016.

Sec. 35. K.S.A. 2014 Supp. 25-611 is hereby amended to read as follows: 25-611. (a) The arrangement of offices on the official general ballot for national and state offices for those offices to be elected shall be in the following order: Names of candidates for the offices of president and vice-president, United States senator, United States representative \_\_\_\_\_ district, governor and lieutenant governor running together, secretary of state, attorney general, (and any other officers elected from the state as a whole), state senator \_\_\_\_\_ district, state representative \_\_\_\_\_ district, district judge \_\_\_\_\_ district, district magistrate judge \_\_\_\_\_ district, district attorney \_\_\_\_\_ judicial district, and state board of education member \_\_\_\_\_ district.

(b) The arrangement of offices on the official general ballot for county and township and ~~municipal~~ offices for those offices to be elected shall be in the following order: Names of candidates for county commissioner \_\_\_\_\_ district, county clerk, county treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer; and township clerk.

(c) The secretary of state by rules and regulations adopted on or before July 1, 2016, shall develop the order of arrangement of municipal offices on the general election ballot in odd-numbered year elections.

Sec. 36. K.S.A. 2014 Supp. 25-618 is hereby amended to read as follows: 25-618. (a) The official general ballot for county and township offices may be separate from the official general ballot for national and state offices or may be combined with the official general ballot provided for in K.S.A. 25-601, and amendments thereto. The secretary of state shall prescribe the ballot format but the ballot shall be substantially in the form shown in this section and K.S.A. 25-611, and amendments thereto.

STATE OF KANSAS  
OFFICIAL GENERAL BALLOT  
County and Township Offices  
County of \_\_\_\_\_, City (or Township) of \_\_\_\_\_  
November \_\_\_\_\_, \_\_\_\_\_ year

To vote for a person, make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space and make a cross or check mark in the square to the left.

FOR COUNTY COMMISSIONER  
\_\_\_\_\_ DISTRICT

Vote for One

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

FOR COUNTY CLERK

Vote for One

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

FOR COUNTY TREASURER

Vote for One

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

~~And continuing~~ Continue in like manner for all county and township offices to be elected.

(b) The official general election ballot style for municipalities shall be established by the secretary of state by rules and regulations adopted on or before July 1, 2016.

Sec. 37. K.S.A. 25-1115 is hereby amended to read as follows: 25-1115. (a) "Gen-

eral election" means the ~~election elections~~ held on the Tuesday ~~succeeding following~~ the first Monday in November of both even-numbered and odd-numbered years, ~~the elections held for officers on the first Tuesday in April~~, and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) "Primary election" means the ~~election elections~~ held on the first Tuesday in August of both even-numbered and odd-numbered years, ~~the election held five weeks preceding the election on the first Tuesday in April~~, and any other preliminary election at which part of the candidates for special election to any national, state, county, city ~~or~~, school ~~or other municipal~~ office are eliminated by the process of the election but at which no officer is finally elected.

Sec. 38. K.S.A. 2014 Supp. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where ~~such the~~ person is a resident, or where ~~such the~~ person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, ~~such the~~ voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, ~~such the~~ voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

(1) The voter is unable or refuses to provide current and valid identification; or  
 (2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

(1) The county election official verifies that the signature of the person matches that on file in the county voter registration records. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide ~~such the~~ person's signature for the purposes of verifying the person's identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be

counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of ~~such~~ the person cannot be verified by the county election officer, the county election officer shall provide information to ~~such~~ the person regarding the voter rights provisions of subsection (d) and shall provide ~~such~~ the person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in both even-numbered and odd-numbered years, between April 1 of such year and the last business day of the week preceding such primary election.

(2) For the general election occurring on the Tuesday ~~succeeding~~ following the first Monday in November in both even-numbered and odd-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.

~~(3) For the primary election held five weeks preceding the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such primary election.~~

~~(4) For the general election occurring on the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such general election.~~

~~(5)~~ (3) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

~~(6)~~ (4) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall determine the final date for mailing of advance voting ballots, but such date shall not be more than three business days before such election.

~~(7)~~ (5) For any special election of officers, at such time as is specified by the secretary of state.

~~(8)~~ (6) For the presidential preference primary, between January 1 of the year in which such primary is held and the last business day of the week preceding such primary election.

The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) Unless an earlier date is designated by the county election office, applications for advance voting ballots transmitted to the voter in person in the office of the county

election officer shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12:00 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. ~~Such~~ Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness which has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information which establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which ~~such the~~ persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. ~~Such~~ Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of ~~such the~~ applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make ~~such the~~ inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by ~~such the~~ officer stating ~~such the~~ person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in ~~two~~ four consecutive general elections held on the Tuesday succeeding the first Monday in November of each even-numbered and odd-numbered year, the county election officer may mail a notice to such voter. ~~Such The~~ notice shall inform the voter that the voter's name will be

removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 39. K.S.A. 25-2006 is hereby amended to read as follows: 25-2006. (a) "General election" means the election held for school officers on the ~~first Tuesday in April in any odd-numbered year, Tuesday following the first Monday in November of odd-numbered years,~~ and in the case of special elections of any school officers to fill vacancies, the election at which any such officer is finally elected.

(b) "Primary election" means the election held ~~five weeks preceding the election on the first Tuesday in April in August of each odd-numbered year,~~ and any other preliminary election at which part of the candidates for special election to any school officer are eliminated by the process of the election but at which no officer is finally elected.

Sec. 40. K.S.A. 25-2007 is hereby amended to read as follows: 25-2007. (a) "Question submitted election" means any election at which a special question is to be voted on by the electors of the state or a part of them.

(b) "County election officer" means:

(1) The election commissioner of the home county of the school district if such county has an election commissioner;

(2) the county clerk of the home county of the school district if the county does not have an election commissioner; and

(3) the county clerk ~~(or the election commissioner if there is one)~~ of the county in which all or the greater part of the population is located in the case of a nonunified school district. In the event that doubt exists concerning which public officer is the county election officer under this subpart, the secretary of state shall specify such officer and such specification shall be conclusive.

(c) "Filing deadline" means ~~the hour, date or time after which it is provided by law no person may become a candidate for election to public office; for school elections the filing deadline is 12:00 o'clock noon on the Tuesday which precedes by 10 weeks the first Tuesday in April of any odd-numbered year the deadline established in K.S.A. 25-205, and amendments thereto.~~

Sec. 41. K.S.A. 25-2010 is hereby amended to read as follows: 25-2010. Election of board members and question submitted elections shall be conducted by the county election officer of the home county of the school district. Board member general elections shall be held on the ~~first Tuesday in April of each odd-numbered year. If a primary election is required to be held, such Tuesday following the first Monday in November of odd-numbered years. A primary election shall be held on the first Tuesday preceding by five weeks the first Tuesday in April of odd-numbered years in August of odd-numbered years.~~

Sec. 42. K.S.A. 25-2014 is hereby amended to read as follows: 25-2014. Names of candidates appearing on the ballots in primary and general school elections shall be listed ~~in the various possible orders in rotation order as provided in K.S.A. 25-212 and 25-610, and amendments thereto.~~

Sec. 43. K.S.A. 25-2017 is hereby amended to read as follows: 25-2017. Consistent with this act the county election officer shall prescribe the form ~~and time~~ of every publication notice applicable to any primary or general school election.

Sec. 44. K.S.A. 25-2017a is hereby amended to read as follows: 25-2017a. The clerk of the board of education of every school district shall certify to the county election officer of the home county of the school district a list of all school offices to be voted upon at each school election, any boundary changes of member districts since the last preceding election and the voting plan to be used as defined in K.S.A. 25-2005, and amendments thereto, not later than ~~January~~ May 1 of each odd-numbered year. A copy of the above information shall be furnished to the county election officer of every county in which a part of the territory of the school district is located.

Sec. 45. K.S.A. 25-2018 is hereby amended to read as follows: 25-2018. (a) Notices of board member elections and question submitted elections of a school district shall be made as provided in this section.

(b) ~~On or before January 15~~ June 10 of odd-numbered years, the county election officer shall publish a notice of election one time in a newspaper having general circulation in the school district. The notice for board member elections shall state: (1) The name of the school district; (2) the date of the general election; (3) the date of the primary election if one is held; (4) the filing deadline and the place of filing; and (5) the offices or positions to be filled.

(c) All notices provided for by this section shall be given in the form prescribed by the secretary of state to the extent that any notice or part thereof is prescribed by the secretary of state. The provisions of this section shall not be construed to require the secretary of state to prescribe any particular form.

(d) ~~Not less than six weeks prior to the first Tuesday in April~~ On or before June 10 of each odd-numbered year, a notice of primary elections shall be published by the county election officer in a newspaper having general circulation in the school district, if a primary election is required to be held. The publication shall be made one time and shall state: (1) The name of the school district; (2) the date of the primary election; (3) the names of the candidates and the office or position for which each is a candidate; (4) the voting place or places and the area each voting place is to serve; and (5) the times of opening and closing of the polls. Description of areas shall be in the terms determined by the county election officer.

(e) ~~Not less than three days prior to the first Tuesday in April~~ On or before September 1 of each odd-numbered year, a notice of the general election shall be published by the county election officer one time in a newspaper having general circulation in the school district. The notice shall state: (1) The name of the school district; (2) the date of the general election; (3) the names of the candidates and the office or position for which each is a candidate; (4) the voting place or places and the area each voting place is to serve; and (5) the time of opening and closing of polls. Description of areas shall be in such terms as may be determined by the county election officer.

(f) Notice of any question submitted election of any school district shall be made in the manner provided by K.S.A. 10-120, and amendments thereto. The notice shall state: (1) the name of the school district; (2) the date of the election; (3) the amount of bonds to be issued, if a bond election; (4) the proposition to be voted upon; (5) the hours of opening and closing of the polls; (6) the voting place or places and the area each voting place is to serve; and (7) any other information specifically required by law. Descrip-



tion of areas shall be in the terms determined by the county election officer.

Sec. 46. K.S.A. 2014 Supp. 25-2020 is hereby amended to read as follows: 25-2020. (a) When a district method of election is in effect in any school district, a person may become a candidate for election to board member by any one of the following methods:

(1) Any person who is an elector in any member district may petition to be a candidate for board member from the member district in which such person resides. Any such person shall file with the county election officer, a petition for such candidacy signed by not less than 50 electors residing in such member district or by a number of such electors equal to not less than 10% of the electors residing in such member district, whichever is less.

(2) Any person who is an elector in any school district may petition to be a candidate for board member at-large from the school district in which such person resides. Any such person shall file with the county election officer, a petition for such candidacy signed by not less than 50 electors residing in such school district.

(3) Any person who is an elector in any member district may become a candidate for board member from the member district in which such person resides by filing with the county election officer a declaration of intention to become such a candidate, and payment therewith of a filing fee in the amount of ~~\$\$~~ \$20. Such declaration shall be prescribed by the secretary of state.

(4) Any person who is an elector in any school district may become a candidate for board member at-large from the school district in which such person resides by filing with the county election officer a declaration of intention to become such a candidate, and payment therewith of a filing fee in the amount of ~~\$\$~~ \$20. Such declaration shall be prescribed by the secretary of state.

(5) Any such petition or declaration shall specify the member position for which the person is a candidate.

(b) When the election at large method is in effect in any school district, a person may become a candidate for election to board member by either one of the following methods:

(1) Any person who is an elector of the school district may petition to be a candidate for board member. Any such person shall file with the county election officer a petition for such candidacy signed by not less than 50 electors residing in the school district.

(2) Any person who is an elector in the unified school district may become a candidate for board member by filing with the county election officer a declaration of intention to become such a candidate, and payment therewith of a filing fee in the amount of ~~\$\$~~ \$20. Such declaration shall be prescribed by the secretary of state.

(3) Any such petition or declaration which is for an unexpired term of a member shall so specify.

(c) Any such petition or declaration of intent must be filed before the filing deadline as prescribed in K.S.A. 25-205, and amendments thereto. No candidate shall be permitted to withdraw from candidacy after the filing deadline.

(d) Within three days from the date of the filing of a nomination petition or a declaration of intention to become a candidate for board member, the county election officer shall determine the validity of such petition or declaration.

(e) If a nomination petition or declaration is found to be invalid, the county election



officer shall notify the candidate on whose behalf the petition or declaration was filed that such nomination petition or declaration has been found to be invalid and the reason for the finding. Such candidate may make objection to the finding of invalidity by the county election officer in accordance with K.S.A. 25-308, and amendments thereto.

Sec. 47. K.S.A. 25-2022 is hereby amended to read as follows: 25-2022. Any board shall have power to fill by appointment any vacancy which occurs thereon, and such appointee shall serve for the unexpired term. When a vacancy occurs, the board shall publish a notice one time in a newspaper having general circulation in the school district stating that the vacancy has occurred and that it will be filled by appointment by the board not sooner than ~~fifteen (15)~~ 15 days after such publication. If such vacancy occurs before ~~January 1 of an odd-numbered year~~ May 1 of the second year of the term leaving an unexpired term of more than two years such appointee shall serve until the ~~July 1~~ second Monday in January after the following general school election as provided in K.S.A. 25-2023, ~~or any and~~ amendments thereto.

In the latter event, the unexpired term of two years commencing ~~July 1~~ on the second Monday in January after the following general school election shall be filled at such election and the ballots or ballot labels and returns of election with respect to such office shall be designated as follows: "To fill the unexpired term."

Sec. 48. K.S.A. 25-2023 is hereby amended to read as follows: 25-2023. ~~Each board member shall qualify by filing an oath of office with the election officer not later than ten (10) days. The term of office of each board member shall commence on the second Monday in January following the date of the election, or not later than five (5) days after issuance of such member's certificate of election, whichever is the later date. Each board member shall take office on the July 1 following the general school election. Each member elected shall qualify by filing an oath of office with the county election office. Each member elected to a board of education shall hold office until a successor is elected or appointed and qualified and shall serve for a term of four (4) years.~~

Sec. 49. K.S.A. 2014 Supp. 25-2102 is hereby amended to read as follows: 25-2102. (a) "General election" means the ~~election~~ elections held on the Tuesday succeeding the first Monday in November of both odd-numbered and even-numbered years, ~~the elections held for officers on the first Tuesday in April~~; and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) "Primary election" means the ~~election~~ elections held on the first Tuesday in August of both odd-numbered and even-numbered years, ~~the election held five weeks preceding the election on the first Tuesday in April, and any other preliminary election at which part of the candidates for special election to any national, state, county, city or school office are eliminated by the process of the election but at which no officer is finally elected.~~

(c) "District method" means the election of city officers where the city is divided into member districts or wards.

(d) "Election at large method" means the election of city officers without member districts or wards.

Sec. 50. K.S.A. 25-2107 is hereby amended to read as follows: 25-2107. ~~(a) The general election of city officers shall be held on the first Tuesday in April. Except as otherwise provided by law or as provided by charter ordinance passed after April 30, 1968, pursuant to article 12, section 5, of the constitution of Kansas, every city shall~~

~~have an election of city officers in odd-numbered years only, and the terms of city officers shall be two (2) years: Provided, however, That the provisions of this section shall not invalidate, repeal or otherwise affect any charter ordinance of any city of the third class having a population of not less than one thousand five hundred (1,500) nor more than two thousand (2,000) located in a county having a population of not less than fifty thousand (50,000) nor more than one hundred thousand (100,000), which ordinance had become effective prior to April 30, 1968 Tuesday following the first Monday in November of each odd-numbered and even-numbered years, if needed.~~

~~(b) A primary may be held on the first Tuesday in August of each odd-numbered and even-numbered year, if needed, as prescribed in K.S.A. 25-205 and 25-2108a, and amendments thereto.~~

Sec. 51. K.S.A. 2014 Supp. 25-2108a is hereby amended to read as follows: 25-2108a. (a) There shall be a primary election of city officers on the first Tuesday ~~preceding by five weeks the first Tuesday in April of every year that such city has a city election, except as otherwise provided in subsection (b) or subsection (c) of this section in August of each odd-numbered and even-numbered year, if needed.~~

(b) In cities in which a district method of election is in effect, if there are more than three qualified candidates for any member district, the county election officer shall call, and there shall be held, a primary election in each such member district. The names of the two candidates receiving the greatest number of votes for any such member district at the primary election shall appear on the ballots in the general election. If there are three or fewer qualified candidates for any member district there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(c) In cities in which the election at large method of election is in effect, if there are more than three times the number of candidates as there are members to be elected, the county election officer shall call, and there shall be held, a primary election. The names of twice the number of candidates as there are members to be elected who received the greatest number of votes at the primary election shall appear on the ballots in the general election. If there are not more than three times the number of candidates as there are members to be elected there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(d) On the ballots in general city elections, blank lines for the names of write-in candidates shall be printed at the end of the list of candidates for each different office. The number of blank lines for each elected office shall be equal to the number of candidates to be elected thereto. The purpose of such blank lines shall be to permit the voter to insert the name of any person not printed on the ballot for whom such voter desires to vote for such office. No lines for write-in candidates shall appear on primary city election ballots.

Sec. 52. K.S.A. 25-2109 is hereby amended to read as follows: 25-2109. The filing deadline for all city elections shall be ~~12:00 o'clock noon of the Tuesday preceding by 10 weeks the first Tuesday in April~~ at 12 noon on June 1 as provided in K.S.A. 25-205, and amendments thereto.

Sec. 53. K.S.A. 2014 Supp. 25-2110 is hereby amended to read as follows: 25-2110. (a) ~~In cities of the first and second class, any person desiring to become a candidate for a city office elected at large shall file with the city clerk before the filing deadline a statement of such candidacy on a form furnished by the county election officer as~~

~~specified by the secretary of state. The city clerk of any city upon receiving any filing under this section shall record the same and transmit it, together with the filing fee or petition herein provided, within three business days to the county election officer. In cities of the third class; Any person desiring to become a candidate for city office elected at large shall file with the county election officer of the county in which the city is located, or of the county in which the greater population of the city is located if the city extends into more than one county, or the city clerk, before the filing deadline, established in K.S.A. 25-205, and amendments thereto, a statement declaration of candidacy on a form furnished by the county election officer as specified by the secretary of state.~~

~~(b) In cities having a population of less than 5,000, each such filing shall be accompanied by a filing fee of \$5 or, in lieu of such filing fee, by a petition signed by 25 qualified electors of the city or by a number of such qualified electors of the city equal to not less than 10% of the ballots cast at the last general city election, whichever is less.~~

~~(c) In cities having a population of not less than 5,000 nor more than 100,000, each such filing shall be accompanied by a filing fee of \$10 or, in lieu of such filing fee, by a petition signed by 50 qualified electors of the city or by a number of such qualified electors of the city equal to not less than 1% of the ballots cast and counted at the last general city election, whichever is less.~~

~~(d) In cities having a population of more than 100,000, each such filing shall be accompanied by a filing fee of \$50; or, in lieu of such filing fee, by a petition signed by 100 qualified electors of the city or by a number of qualified electors of the city equal to 1% of the ballots cast at the last general city election, whichever is less. The number of qualified electors of the city which must sign a nomination petition, shall be established by the city governing body by passage of an ordinance.~~

~~(c)~~ Within three days from the date of the filing of a nomination petition or a declaration of intention to become a candidate for a city office elected at large, the county election officer shall determine the validity of such petition or declaration.

~~(d)~~ If a nomination petition or declaration is found to be invalid, the county election officer shall notify the candidate on whose behalf the petition or declaration was filed that such nomination petition or declaration has been found to be invalid and the reason for the finding. Such candidate may make objection to the finding of invalidity by the county election officer in accordance with K.S.A. 25-308, and amendments thereto.

~~(e)~~ All city elections shall be conducted by the county election officer of the county in which such city is located, or of the county in which the greater population of the city is located if the city extends into more than one county.

Sec. 54. K.S.A. 25-2113 is hereby amended to read as follows: 25-2113. ~~(a) Except as provided in subsection (b) of this section, City elections shall be nonpartisan or partisan as determined by the governing body and shall be conducted in accordance with chapter 25 of the Kansas Statutes Annotated, and amendments thereto.~~ Laws applicable to elections occurring at the same time as city elections shall apply to city elections to the extent that the same are not in conflict with the provisions of this act.

~~(b) The provisions of this subsection (b) shall apply to cities of the first class in counties which have been declared urban areas as authorized by article 2, section 17, of the constitution of Kansas. Election laws of a general nature which are applicable to partisan elections and which are not in conflict with this subsection (b) or any specific law applicable to election of city officers in any city to which this subsection (b) ap-~~

~~plies, shall apply to elections held under the provisions of this subsection (b). The county election officer shall prescribe the forms, ballots and ballot labels for every election conducted under this subsection (b), and shall make such rules and regulations not inconsistent with this subsection (b) as may be necessary for the conduct of such elections:~~

Sec. 55. K.S.A. 25-2115 is hereby amended to read as follows: 25-2115. Names of candidates appearing on the ballots in primary and general city elections ~~in cities of the first and second class~~ shall be listed in the various possible orders in rotation and as provided in K.S.A. 25-212 and 25-610, and amendments thereto.

Sec. 56. K.S.A. 25-2118 is hereby amended to read as follows: 25-2118. The city clerk shall certify to the county election officer a list of all city offices to be voted upon at each city election not later than ~~January~~ May 1 of every year that such city has a city election.

Sec. 57. K.S.A. 25-2120 is hereby amended to read as follows: 25-2120. The county election officer who conducts the city election shall promptly certify to the city governing body the determination of election results made by the county board of canvassers. The term of office shall commence ~~with and include the first regular meeting of the governing body on the second Monday in January~~ following certification of the election.

Every person elected or appointed to city office, before entering upon the duties of such office, shall take and subscribe an oath or affirmation as specified in K.S.A. 54-106, and amendments thereto, and every such oath or affirmation shall be filed with the city clerk.

Sec. 58. K.S.A. 2014 Supp. 25-2311 is hereby amended to read as follows: 25-2311. (a) County election officers shall provide for the registration of voters at one or more places on all days except the following:

(1) Days when the main offices of the county government are closed for business, except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312, and amendments thereto;

(2) days when the main offices of the city government are closed for business, in the case of deputy county election officers who are city clerks except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312, and amendments thereto;

(3) the 20 days preceding the day of primary and general ~~state~~ elections;

~~(4) the 20 days preceding the day of primary city and school elections, if either has a primary;~~

~~(5) the 20 days preceding each first Tuesday in April of odd-numbered years, being the day of city and school general elections;~~

~~(6)-(4) the 20 days preceding the day of any election other than one specified in paragraphs (3), (4) and (5) of this subsection; and~~

~~(7)-(5) the day of any primary or general election or any question submitted election.~~

(b) For the purposes of this section in counting days that registration books are to be closed, all of the days including Sunday and legal holidays shall be counted.

(c) The secretary of state shall notify every county election officer of the dates when registration shall be closed preceding primary and general ~~state, city and school~~ elections. The days so specified by the secretary of state shall be conclusive. Such no-

tice shall be given by the secretary of state by mail at least 60 days preceding every primary and general ~~state, city and school~~ election.

(d) The last days before closing of registration books as directed by the secretary of state under subsection (c) ~~of this section~~, county election officers shall provide for registration of voters during regular business hours, during the noon hours and at other than regular business hours upon such days as the county election officers deem necessary. The last three business days before closing of registration books prior to ~~state~~ primary and general elections, county election officers may provide for registration of voters until 9 p.m. in ~~cities of the first and second class~~ any city.

(e) County election officers shall accept and process applications received by voter registration agencies and the division of motor vehicles not later than the 21<sup>st</sup> day preceding the date of any election; mailed voter registration applications that are postmarked not later than the 21<sup>st</sup> day preceding the date of any election; or, if the postmark is illegible or missing, is received in the mail not later than the ninth day preceding the day of any election.

(f) The secretary of state may adopt rules and regulations interpreting the provisions of this section and specifying the days when registration shall be open, days when registration shall be closed, and days when it is optional with the county election officer for registration to be open or closed.

(g) Before each primary and general election held in even-numbered and odd-numbered years, and at times and in a form prescribed by the secretary of state, each county election officer shall certify to the secretary of state the number of registered voters in each precinct of the county as shown by the registration books in the office of such county election officer.

Sec. 59. K.S.A. 25-2502 is hereby amended to read as follows: 25-2502. (a) "General election" means the ~~election~~ elections held on the Tuesday ~~succeeding~~ following the first Monday in November of both even-numbered and odd-numbered years, ~~the elections held for officers on the first Tuesday in April~~; and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) "Primary election" means the ~~election~~ elections held on the first Tuesday in August of both even-numbered and odd-numbered years, ~~the election held five weeks preceding the election on the first Tuesday in April~~, and any other preliminary election at which part of the candidates for special election to any national, state, county, township, city ~~or~~, school or other municipal office are eliminated by the process of the election but at which no officer is finally elected.

Sec. 60. K.S.A. 25-2804 is hereby amended to read as follows: 25-2804. (a) Each person recommended as provided in ~~subsection (a)~~ of K.S.A. 25-2803 (a), and amendments thereto, shall be a resident of the area served by the voting place in which such person is to be a judge or clerk.

(b) Except as otherwise provided by this subsection, all judges and clerks shall have the qualifications of an elector in the election at which they serve, and no judge or clerk shall be a candidate for any office, other than the office of precinct committeeman or precinct committeewoman, to be elected at such election. The county election officer may appoint persons who are at least 16 years of age to serve as election judges or clerks if such persons meet all other requirements for qualification of an elector and have a letter of recommendation from a school teacher, counselor or administrator. No

~~more than one person under the age of 18 may be appointed to each election board  $\frac{1}{3}$  of the persons appointed to each election board may be under the age of 18.~~

(c) The county election officer may establish a pool of trained judges and clerks who shall be recommended by the county chairpersons specified in ~~subsection (a) of~~ K.S.A. 25-2803(a), and amendments thereto. Judges and clerks in such pool may serve at voting places other than their own if:

(1) The chairpersons specified in ~~subsection (a) of~~ K.S.A. 25-2803(a), and amendments thereto, or either of them, have failed to make appropriate recommendations;

(2) it is impossible to obtain judges and clerks for a voting place in any other way; or

(3) voting machines are used, in which case the third judge, who shall be trained in the use of voting machines, need not necessarily live in the area of the voting place.

(d) Any judge or clerk serving in a voting place not located in the area in which such judge or clerk resides or serving on a special election board established under ~~subsection (c) of~~ K.S.A. 25-1133(c), and amendments thereto, shall be allowed to vote an advance voting ballot in accordance with the provisions of K.S.A. 25-1119, and amendments thereto, or shall be excused from duties as such judge or clerk to vote at the voting place in the area where such judge or clerk resides.

Sec. 61. K.S.A. 25-2901 is hereby amended to read as follows: 25-2901. When a voter receives a ballot, or set of ballots, such voter shall go promptly and directly to one of the voting booths and mark the ballots therein. No voter shall be allowed to occupy a booth already occupied by another voter. No voter shall be allowed to occupy a booth more than ~~five~~ 10 minutes if other voters are waiting to occupy the same. The voter shall mark the ballot by making a cross or check mark in the voting squares at the left of the names of candidates.

Sec. 62. K.S.A. 25-3503 is hereby amended to read as follows: 25-3503. (a) In the event that any vacancy occurs to which this act applies, and such occurrence is not more than ~~ninety (90)~~ 90 days and not less than ~~thirty (30)~~ 30 days before any primary election of state officers, the election provided for in this act shall be held on the same date as the primary election of state officers.

~~(b) In the event that any vacancy occurs to which this act applies, and such occurrence is not more than ninety (90) days and not less than thirty (30) days before any regular primary or general election of city and school officers occurring in an odd-numbered year, the election provided for in this act shall be held within such ninety (90) days and on the same date as such primary or general election.~~

~~(e)~~ (b) In the event that any vacancy occurs to which this act applies, and such occurrence is not more than ~~thirty (30)~~ 30 days before any primary election of state officers and before the general election of state officers, at such general election votes cast for the office of congressman for members of congress in the district in which such vacancy has occurred shall be deemed to be cast to fill the vacancy for the unexpired term, as well as for the election for the next regular term. The governor shall proclaim the date of the election to be the same as the general election of state officers.

~~(d)~~ (c) In the event that any vacancy occurs to which this act applies, on or after the date of any general election of state officers and before the term of office in which the vacancy has occurred expires, votes cast for the office of congressman for members of congress in the district in which such vacancy occurs shall be deemed to have been cast to fill such vacancy for the unexpired term, as well as for election for the next regular

term. The governor's approval of this act shall be deemed to proclaim that every regular election of a representative to the United States congress shall be an election for the unexpired term if any should occur, as well as election for the next regular term. In cases to which subsection ~~(e)~~ of this section (b) or this subsection applies, the person elected for the next regular term shall be deemed to have been elected for the balance of the unexpired term also.

Sec. 63. K.S.A. 2014 Supp. 42-706 is hereby amended to read as follows: 42-706. (a) The officers of such district shall be a board of directors consisting of three members who shall be persons entitled to vote as provided in subsection ~~(h)~~ (g) and residents of a county in which the district or a portion thereof is located, or county adjoining a county in which such irrigation district or a portion thereof is located. Such members shall hold office for a period of ~~three two or four~~ years, such term of office being established by the board of directors by passage of a resolution, and each shall serve until a successor has been elected and qualified. The members of the board of directors first elected after the creation of an irrigation district shall hold their respective offices until the next regular election for the election of directors as provided in subsection (e) or (f) of this section except that the terms of the three directors shall be as provided in subsection (e) of this section.

(b) The chief engineer of the division of water resources, after the incorporation of such irrigation district, shall establish and designate the polling place or places therein where the first election will be conducted and fix the time for such election within 60 days after the date of incorporation. In any irrigation district of more than 35,000 acres, the chief engineer of the division of water resources shall, prior to designating polling places, establish three voting areas within such district as equal as possible in acreage and shall designate the same as the first, second or third voting area. Such polling place or places may thereafter be changed by the board of directors, and the board may arrange for polling places outside the corporate boundaries of the district if such places are more convenient than locations within the district. Prior to the holding of the first election in newly created districts, the chief engineer of the division of water resources shall appoint from the qualified electors of the district three persons for such election for each voting place who shall constitute boards of election for such district for such election. If the members appointed do not attend at the opening of the polls on the day of election, at the opening hour, the electors present at that hour shall elect from the electors present members of the election board necessary to fill the place of any absent member.

(c) The board of directors of every district of more than 35,000 acres which was incorporated prior to the effective date of this act shall establish three voting areas within the district as equal as possible in acreage and designate the same as the first, second or third voting area. The board shall also establish and designate the polling place or places within each voting area. At the first election held after the effective date of this act, a director shall be elected ~~from each voting area and the person receiving the highest number of votes shall serve for a term of three years, the person receiving the second highest number of votes shall serve for a term of two years, and the person receiving the third highest number of votes shall serve for a term of one year. At each subsequent election, only one director shall be elected each year for a term of three years. Any director elected under this provision must be a person entitled to vote as provided in subsection (h) for the term length established by the board.~~



(d) (1) Except as provided in paragraph (2), all elections shall be conducted in accordance with the general election laws of the state except as otherwise provided in this act. Advance voting as provided in article 11 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, shall be provided for by the county election officers and boards of directors for those persons entitled to vote under subsection ~~(h)~~ (g). The forms for the ballot envelope declaration as provided in K.S.A. 25-1120, and amendments thereto, and the applications for advance ballots as provided in K.S.A. 25-1122d, and amendments thereto, shall be modified to establish that such person is a qualified owner of irrigable land within the district. After polls are closed the election boards shall proceed to canvass the votes cast thereat, shall certify to the county election officer of the county in which all or the greater part of the population of the irrigation district is located and the chief engineer the result of such election. The clerks shall then securely wrap the ballots cast at such elections and shall express or mail the same by registered mail to the county election officer of the county in which all or the greater part of the population of the irrigation district is located. The county election officer shall canvass the ballots, verify the results and declare the person receiving the highest number of votes duly elected as director except that at the first election after creation of a district the county election officer of the county in which all or the greater part of the population of the irrigation district is located shall declare the three persons receiving the highest number of votes duly elected as directors except that in districts divided into three voting areas, the person receiving the highest number of votes in each voting area shall be duly elected as director. Such county election officer shall immediately mail, to each person elected to the office of director a certificate of election signed by such officer. The directors shall thereupon qualify and enter upon the duties of their office. Directors shall qualify by taking and subscribing to an oath of office of substantially the same tenor as oath of office prescribed for county officials. Each member of the board of directors shall execute an official bond in the sum of \$1,000 which oath and bond shall be filed with the county election officer of the county in which all or the greater part of the population of the irrigation district is located. The treasurer of each irrigation district shall execute to the district a corporate surety bond in an amount at least equal to 125% of the amount, as near as can be ascertained, that shall be in such person's hands as treasurer at any one time. The amount and sufficiency of the bond of the treasurer shall be determined by the county election officer. Upon approval of the bond, the county election officer shall endorse such approval thereon and file the same in the office of the county election officer and shall immediately notify the county treasurer of the county in which the registered office of the irrigation district is located of such approval and filing. In the event of the breach of any condition of the treasurer's bond, the president and secretary of the board shall cause a suit to be commenced thereon in the name of the irrigation district. It shall not be necessary to include the treasurer as a party to the action and the money collected shall be applied to the use of the district, as the same should have been applied by the treasurer. Should the president and secretary neglect or refuse to prosecute such a suit, then any person entitled to vote as provided in subsection ~~(h)~~ (g) may cause such suit to be instituted. Premiums on surety bonds for such directors and treasurers of irrigation districts shall be paid by the district out of its general funds. In case the office of any director shall become vacant the remaining members of the board shall fill the vacancy by appointment. A director appointed to fill a vacancy shall serve the unexpired term of the director whose term such person was



appointed to fill.

(2) For any election except the election required in subsection (b), the board of directors may adopt a procedure providing for the election of members by mail ballot. Such procedure shall require the board to mail ballots to all persons entitled to vote, to receive and tabulate the ballots, to canvass the election and to certify the results to the county election officer. The irrigation district shall be responsible for the direct expenses of conducting the election. The ballot envelope used for mailing ballots shall contain a declaration establishing that the person who signs the declaration is a qualified owner of irrigable land within the district.

(e) All regular elections of directors of irrigation districts shall be held ~~the first Tuesday in March except as provided by subsection (g) Tuesday following the first Monday in November in odd-numbered years.~~ Any districts organized after the regular ~~March~~ election shall hold its election at the next regular ~~March~~ election following incorporation of the district and, at this election three directors shall be elected and the person receiving the highest number of votes shall serve for a term of ~~three~~ four years, the ~~person~~ persons receiving the second and third highest number of votes shall serve for a term of two years, ~~and the person receiving the third highest number of votes shall serve for a term of one year.~~ In case the first election after creation of a district is held between June 1 of any year and the day preceding the ~~first Tuesday in March following the first Monday in November~~ of the next succeeding odd-numbered year, the next regular ~~March~~ election shall be held in the second succeeding odd-numbered year. At each subsequent regular election, only one director shall be elected each year for a term of ~~three~~ four years. ~~All persons desiring to be voted upon as directors shall at least 30 days before the day of holding of the elections, file such person's name with the county election officer of the county in which all or the greater part of the population of the irrigation district is located, affixed to a statement that such person desires such person's name to be placed on the ticket as a candidate for member of board of directors of the district in such election Any person desiring to be a candidate for election to the board of directors shall file a candidate's declaration of intention with the county election officer of the county in which all or the greater part of the population of the district is located. Such candidate's filing shall utilize the procedures provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto. The county election officer shall make up the ticket, at expense of the irrigation district prepare the ballot, and place the names thereon in alphabetical order and shall supply election officials with necessary ballots and polling books at the irrigation district's expense. At least five days before any election held subsequent to first election of directors, the boards of directors shall name and appoint three persons for each voting place, who shall be qualified electors in the district. At least five days before any election, the county clerks of the various counties within which a portion of the district is located, shall cause to be ascertained the names of all persons entitled to vote as provided in subsection (h) (g) and shall furnish lists thereof to each election board within such county and to the secretary of the board of directors of the district. Notice of the time and places of holding of the election, signed by the president and attested by the secretary of the district shall be given in some newspaper or newspapers general election, shall be published by the county election officer in a newspaper of general circulation in the district for one issue at least five days prior to date of the election in accordance with K.S.A. 25-105, and amendments thereto. The return results~~ of all special or bond elections shall be made

available to the secretary of the district, and canvassed by the board of directors. All expenses of election, not otherwise provided for herein, shall be paid for out of the general funds of the irrigation district. Election officials shall receive the same compensation as provided under general election laws.

(f) In lieu of the election procedures provided in this section pertaining to regular elections of directors in accordance with the general election laws of the state, the board of directors of any irrigation district of less than 35,000 acres in size may call an annual meeting of all persons entitled to vote as provided in subsection ~~(h)~~ (g) for the purpose of electing directors. Such annual meeting shall be held on the first Tuesday in March, ~~except as provided by subsection (g)~~. Notice of the time and place of holding said annual meeting shall be given in some newspaper or newspapers of general circulation in the district for one issue at least 30 days prior to date of such meeting. Elections at the annual meeting shall be by ballot, with absentee voting as provided under subsection (d) of this section. All persons desiring to be voted upon as director shall at least 30 days before the day of holding the annual meeting file such person's name with the secretary of the board of directors of the district, affixed to a statement that such person desires such person's name to be placed on the ballot as a candidate for member of board of directors of the district. The board of directors shall appoint three owners of irrigable land in the district to serve as an election board at the annual meeting. After the votes are cast at the annual meeting the election board shall proceed to canvass the votes and shall certify to the county election officer of the county in which all or the greater part of the population of the irrigation district is located and the chief engineer the result of such election. All provisions of this section not inconsistent with the provisions of subsection (f) shall apply to the election of directors at the annual meeting.

~~(g) In any case where the time for any regular election of directors as described in subsection (e), or the election as described in subsection (f), is the same for any two districts having the same district manager, such election shall be held on the first Wednesday following the first Tuesday in March by the district organized latest in time.~~

~~(h)~~ (g) Until such time as assessments are made in the district pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled to vote shall be "qualified owners of land" within the irrigation district, as such term is defined in K.S.A. 42-701, and amendments thereto, and who are otherwise qualified electors.

After lands have been assessed in the district pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled to vote shall be "qualified owners of land" within the irrigation district as such term is defined in K.S.A. 42-701, and amendments thereto, which has been assessed pursuant to K.S.A. 42-715, and amendments thereto, and who are otherwise qualified electors. For voting purposes, any person entitled to vote under this subsection who owns land in more than one voting area shall vote in the voting area which includes the greatest portion of such person's land. As used in this section, the term "qualified electors" shall include a person who is the legal qualified owner of irrigable land or a person, who is authorized, in writing, to vote for a trust, corporation, association or partnership which is the legal qualified owner of irrigable land. Such person is not required to be a resident of the district. Such trust, corporation, association or partnership shall be allowed only one vote. The person authorized by such entity to vote shall be someone who is not otherwise entitled to a vote under this section.

Sec. 64. K.S.A. 71-1408 is hereby amended to read as follows: 71-1408. Change of method of election in any community college district may be made in the manner

provided in this act at any time during the period beginning on the first Wednesday in ~~April~~ November of each odd-numbered year and ending on the first Tuesday in ~~December~~ June of each even-numbered year, if such change is also approved in a manner authorized in this act before the end of such period. The new method of election in such district shall be followed in the election of trustees next following such change and shall continue in force until again changed in the manner provided in this act. Change of method of election shall not shorten the term of any trustee serving on the board at the time the change is made.

Sec. 65. K.S.A. 71-1412 is hereby amended to read as follows: 71-1412. Each member of the board of trustees of a community college shall be elected for a four-year term commencing on the ~~July 1~~ second Monday in January following election. Members shall serve until their successors are elected or appointed and qualified.

Sec. 66. K.S.A. 71-1413 is hereby amended to read as follows: 71-1413. (a) Elections of trustees of community colleges shall be conducted by the county election officer of the county in which the main campus of the college is located. In any college district having territory in more than one county, the county election officers of all such counties shall cooperate with the county election officer of the county in which the main campus is located, and upon establishing any new community college or adding territory to any of the community college districts, the state board, in accordance with this section, shall specify the county in which the main campus shall be located for the purpose of this section. General community college elections shall be held on the ~~first Tuesday in April of each odd-numbered year~~ following the first Monday in November of each odd-numbered year.

(b) ~~Any primary community college election shall be held on the Tuesday preceding by five weeks the first Tuesday in April of odd-numbered years~~ first Tuesday of August of each odd-numbered year in accordance with K.S.A. 25-205, and amendments thereto.

(c) Notice of the time and place of holding each primary and general election shall be published by the county election officer in a newspaper published in the county in accordance with K.S.A. 25-105 and 25-209, and amendments thereto.

Sec. 67. K.S.A. 71-1414 is hereby amended to read as follows: 71-1414. (a) (1) In college districts where a district method of election is in effect, a person may become a candidate for election to trustee of a community college by any one of the following methods:

(A) Any person who is an elector of any member district may petition to be a candidate for member from the member district in which such person resides. Any such person shall file with the election officer a petition for such person's candidacy signed by not less than 50 electors residing in such person's member district.

(B) Any person who is an elector of any member district may become a candidate for member from the member district in which such person resides by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~\$\$~~ \$20.

(C) If a community college adopts and implements a seven member board of trustees plan, any person who is an elector of the college district may petition to be a candidate for the at-large member position. Any such person shall file with the county election officer a petition for such candidacy signed by not less than 50 electors residing in such college district.

(D) If a community college adopts and implements a seven member board of trustees plan, any person who is an elector of the college district may become a candidate for the at-large member position by filing with the county election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~\$5~~ \$20.

(2) Every petition or declaration of intent filed under this subsection must specify the member position for which the person is a candidate.

(b) In college districts where the election-at-large method of election is in effect, a person may become a candidate for election to trustee of a community college by either one of the following methods:

(1) Any person who is an elector of the college district may petition to be a candidate for trustee. Any such person shall file with the election officer a petition for such person's candidacy signed by not less than 50 electors residing in the college district.

(2) Any person who is an elector of the college district may become a candidate for trustee by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~\$5~~ \$20.

(c) Every petition or declaration of intent filed under this section must be filed on or before ~~12 o'clock 12 noon on the Tuesday which precedes by 10 weeks the first Tuesday in April of any odd-numbered year. No such petition or declaration shall be filed sooner than the second Tuesday of the December which next precedes the community college election~~ June 1 of each odd-numbered year as provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto.

Sec. 68. K.S.A. 71-1419 is hereby amended to read as follows: 71-1419. ~~(a)~~ The election of trustees of community colleges shall be nonpartisan and laws applicable only to partisan elections shall not apply in such elections. All laws applicable to elections, the violation of which is a crime, shall be applicable to election of trustees of community colleges.

~~(b) Except as is provided in (a) above, laws applicable to local elections, including voter registration laws, occurring at the same time as election of trustees shall apply to the election of trustees to the extent that the same are not in conflict with the provisions of this act. The provisions of this subsection (b) shall not apply to election notices.~~

~~(c) Ballots for election of trustees shall be canvassed by the members of election boards canvassing ballots in other local elections insofar as is practicable, and where it is not practicable, the county election officer shall provide for such canvass by other appropriate means.~~

Sec. 69. K.S.A. 72-8008 is hereby amended to read as follows: 72-8008. Change of method of election or voting plan or both in any school district may be made in the manner provided in this act at any time during the period beginning on the first Wednesday in ~~April~~ November of each ~~odd-numbered~~ even-numbered year and ending on the first Tuesday in ~~December~~ June of each ~~even-numbered~~ odd-numbered year, if such change is also approved in a manner authorized in this act before the end of such period. The new method of election and voting plan in such school district shall be followed in the election of members next following such change and shall continue in force until again changed in the manner provided in this act. Change of method of election or voting plan shall not shorten the term of any member serving on the board at the time the change is made, and the county election officer shall not submit to election any plan of change which violates this prohibition.

Sec. 70. K.S.A. 80-2508 is hereby amended to read as follows: 80-2508. (a) Subject to the limitations provided in this act, any of the four methods described in this section may be used in the selection of members of boards. The four methods are:

(1) Elections of board members shall be held at the annual meeting of the qualified electors of the hospital district for the positions on the board which are to expire in such year.

(2) Board members shall be appointed by the governing bodies of the political subdivisions joining in the operation and maintenance of the hospital.

(3) (A) Elections of board members for ~~three-year~~ four-year terms shall be held on ~~the first Tuesday in April of each year~~ following the first Monday in November of odd-numbered years for the positions on the board which are to expire in such year. All positions shall be at-large. Each board member shall take office on the ~~May 1~~ second Monday in January following the date of election.

(B) Any person desiring to become a candidate for board member shall file with the county election officer of the county in which the political subdivisions joining in the operation and maintenance of the hospital, or the greater portion of the area thereof, are located, before the filing deadline specified in K.S.A. 25-2109, and amendments thereto, either a petition signed by not less than 50 electors eligible to vote for a candidate or a declaration of intent to become a candidate together with a filing fee in the amount of ~~\$10~~ \$20.

(C) The county election officer of the county specified in paragraph (B) shall prepare the ballots for such election including ballots for that portion of the district located in any other county. The county election officers of each county shall conduct the election in their respective counties, and the board of county canvassers of each such county shall certify the results of the votes cast in its county to the board of county canvassers in the county in which the ballots for the election were prepared.

(D) Ballots shall be prepared in such manner that each voter is instructed to vote for the same number of candidates as the number of positions to be filled. Such instruction shall specify that the voter may vote for fewer than the total number of candidates for which the voter is qualified to vote.

~~(E) Where not in conflict with this provision of this subsection, the laws applicable to the election of city officers shall apply to the election of members of the board.~~

(4) (A) Elections of board members for four-year terms shall be held on the ~~first Tuesday succeeding the first Monday in April~~ November of each odd-numbered year for the positions on the board which are to expire in such year. All positions shall be at-large. Each board member shall take office on the ~~May 1~~ following the date of election second Monday in January.

(B) Any person desiring to become a candidate for board member shall file with the county election officer of the county in which the political subdivisions joining in the operation and maintenance of the hospital, or the greater portion of the area thereof, are located, before the filing deadline specified in K.S.A. 25-2109, and amendments thereto, either a petition signed by not less than 50 electors eligible to vote for a candidate or a declaration of intent to become a candidate together with a filing fee in the amount of ~~\$10~~ \$20.

(C) The county election officer of the county specified in paragraph (B) shall prepare the ballots for such election including ballots for that portion of the district located in any other county. The county election officers of each county shall conduct the elec-

tion in their respective counties, and the board of county canvassers of each such county shall certify the results of the votes cast in its county to the board of county canvassers in the county in which the ballots for the election were prepared.

(D) Ballots shall be prepared in such manner that each voter is instructed to vote for the same number of candidates as the number of positions to be filled. Such instruction shall specify that the voter may vote for fewer than the total number of candidates for which the voter is qualified to vote.

~~(E) Where not in conflict with this provision of this subsection, the laws applicable to the election of city officers shall apply to the election of members of the board.~~

(b) If the method of selection of members of the board of any hospital is the method provided for in ~~provision (1) or provision (2)~~ of subsection (a)(1) or (2), such method of selection may be changed to the method provided for in ~~provision (3) or provision (4)~~ of subsection (a)(3) or (4) by majority vote of the qualified electors voting at an annual meeting thereof. Whenever the method of selection of members of a board is changed to the method provided for in ~~provision (3) or provision (4)~~ of subsection (a)(3) or (4), the term of each member serving on the board at the time of the change of method of selection shall expire on May 1 of the year in which the term of such member is to expire, except that for the purpose of electing members to the board at a time to coincide with elections for other purposes, the board may extend the term of any member for not to exceed one year from the date such member's term would otherwise expire and the board of Sublette hospital district may change prior to the election the length of term for one member to be elected at the 1997 election from four years to two years. If the members of the board are currently selected pursuant to ~~provision (3)~~ of subsection (a)(3), the method of selection may be changed to the method provided for in ~~provision (4)~~ of subsection (a)(4) by a majority vote of the board members.

New Sec. 71. (a) The purpose of this section is to provide an orderly and prompt means of filling vacancies in the governing body of a municipality. Prolonged vacancies in the governing body of a municipality deprive citizens of their right to representation and act as impediments to the orderly function of government of municipalities.

(b) As used in this section, the following terms are defined as follows:

(1) "Governing body" shall include the mayor and members of the council, the mayor and commissioners or the chairperson and members of the board of supervisors, depending on the form of government of the city or the consolidated city and county.

(2) "Municipality" means any city or any consolidated city and county.

(c) Except as provided in subsection (d), the governing body of any municipality where a vacancy exists shall appoint, by a majority vote of the remaining members, a person to fill the vacancy within 60 days of the vacancy. If the appointment is not made within the 60-day time frame, the governing body shall pass a resolution calling for a special election to fill such vacancy to be held within 45 days of the passage of such resolution. Candidates for the vacant office shall file for such office as provided in K.S.A. 25-2110a, and amendments thereto. The special election shall be conducted by the county election officer. The candidate receiving the highest number of votes for the vacant position shall assume such office upon certification of the election results.

(d) The provisions of subsection (c) shall not apply to any municipality which has a procedure for filling vacancies in its governing body and which has filled such vacancies within 60 days of the vacancy.

Sec. 72. K.S.A. 12-344 is hereby amended to read as follows: 12-344. (a) Any plan

submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the consolidation of certain city and county offices, functions, services and operations, the plan shall:

(1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan;

(2) provide for the method of amendment of the plan;

(3) authorize the appointment of, or elimination of elective officials and offices;

(4) specify the effective date of the consolidation; and

(5) include other provisions determined necessary by the commission.

(c) If the plan provides for the consolidation of the city and county, in addition to the requirements of subsection (b), the plan shall:

(1) Fix the boundaries of the governing body's election districts, provide a method for changing the boundaries from time-to-time, any at-large positions on the governing body, fix the number, term and initial compensation of the governing body of the consolidated city-county and the method of election;

(2) determine whether elections of the governing body of the consolidated city-county shall be partisan or nonpartisan elections and the time at which such elections shall be held;

(3) determine the distribution of legislative and administrative duties of the consolidated city-county officials, provide for consolidation or expansion of services as necessary, authorize the appointment of a consolidated city-county administrator or a city-county manager, if deemed advisable, and prescribe the general structure of the consolidated city-county government;

(4) provide for the official name of the consolidated city-county; and

(5) provide for the transfer or other disposition of property and other rights, claims and assets of the county and city.

(d) Vacancies in the governing body shall be filled as provided in section 71, and amendments thereto.

Sec. 73. K.S.A. 2014 Supp. 12-363 is hereby amended to read as follows: 12-363. (a) Any plan submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the unification of certain city and county offices, functions, services and operations, the plan shall:

(1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan;

(2) provide for the method of amendment of the plan;

(3) specify the effective date of the unification; and

(4) include other provisions determined necessary by the commission.

(c) If the plan provides for the unification of the city and county, in addition to the requirements of subsection (b) the plan shall:

(1) Provide that the members of the governing body be elected from districts or on an at-large basis and fix the number, term and initial compensation of the governing body of the unified city-county and the method of election;

(2) determine whether elections of the governing body of the unified city-county shall be partisan or nonpartisan elections and the time at which such elections shall be



held.;

(3) determine the distribution of legislative and administrative duties of the unified city-county officials, provide for unification or expansion of services as necessary, authorize the appointment of a city-county administrator or manager, if deemed advisable, and prescribe the general structure of the unified city-county government.;

(4) provide for the official name of the unified city-county.;

(5) provide for the transfer or other disposition of property and other rights, claims and assets of the county and city. and

(6) fix the rate of the retailers' sales tax, if any.

(d) Vacancies in the governing body shall be filled as provided in section 71, and amendments thereto.;

Also on page 8, in line 43, by striking all after "K.S.A.";

On page 9, in line 1, by striking all before "are" and inserting "2-623, 12-344, 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 13-1220, 13-1221, 19-2760, 19-2762, 19-3505, 19-3507, 22a-102, 24-504, 25-209, 25-210, 25-212, 25-306b, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2017a, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2118, 25-2120, 25-2502, 25-2804, 25-2901, 25-3503, 25-3905, 25-4501, 71-1408, 71-1412, 71-1413, 71-1414, 71-1417, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624, 12-363, 24-412, 24-414, 24-459, 24-506, 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3904, 25-3904a and 42-706 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "elections;" by inserting "relating to certain municipalities and special districts;"; also in line 1, after "nominees;" by inserting "relating to the presidential preference primary;"; in line 2, by striking all after "amending"; in line 3, by striking all before the period and inserting "K.S.A. 2-623, 12-344, 13-1220, 13-1221, 19-2760, 19-3505, 19-3507, 22a-102, 24-504, 25-209, 25-210, 25-212, 25-306b, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2017a, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2118, 25-2120, 25-2502, 25-2804, 25-2901, 25-3503, 25-3905, 71-1408, 71-1412, 71-1413, 71-1414, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624, 12-363, 24-412, 24-414, 24-459, 24-506, 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3904, 25-3904a and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 19-2762, 25-4501 and 71-1417";



And your committee on conference recommends the adoption of this report.

MITCH HOLMES  
 STEVE FITZGERALD  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

MARK KAHRs  
 KEITH ESAU  
 TOM SAWYER  
*Conferees on part of House*

On motion of Rep. Kahrs, the conference committee report on **HB 2104** was adopted.

On roll call, the vote was: Yeas 64; Nays 58; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anthimides, Barker, Barton, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Corbet, Davis, DeGraaf, Dove, Esau, Estes, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Powell, Read, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Alford, Ballard, Becker, Billinger, Boldra, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Patton, Phillips, Proehl, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Sloan, Smith, Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henderson, Schwartz, Winn.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 113** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in line 1; following line 1, by inserting:

"New Section 1. Sections 1 through 6, and amendments thereto, shall be known and may be cited as the safe families act.

New Sec. 2. As used in the safe families act:

(a) "Attorney in fact" shall have the same meaning as defined in K.S.A. 58-651, and amendments thereto.

(b) "Serving parent" means a parent who is a member of the reserves of the army, navy, air force, marine corps or coast guard of the United States or the commissioned corps of the national oceanic and atmospheric administration or the public health service of the United States department of health and human services detailed by proper authority for duty with the army or navy of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the president of the United States or to serve on state active duty.

New Sec. 3. (a) A parent or legal custodian of a child may by a properly executed power of attorney, as provided in section 4, and amendments thereto, delegate to another person known as the attorney in fact, for a period not to exceed one year, except as provided in subsection (f), any of the powers regarding the care and custody of the child, except the power to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child. A delegation of powers under this section shall not deprive the parent or legal custodian of any parental or legal authority regarding the care and custody of the child.

(b) The parent or legal custodian of the child shall have the authority to revoke or withdraw the power of attorney authorized by subsection (a) at any time. Except as provided in subsection (f), if the delegation of authority lasts longer than one year, the parent or legal custodian of the child shall execute a new power of attorney for each additional year that the delegation exists. If a parent withdraws or revokes the power of attorney, the child shall be returned to the custody of the parents as soon as reasonably possible.

(c) Unless the authority is revoked or withdrawn by the parent, the attorney in fact shall exercise parental or legal authority on a continuous basis without compensation for the duration of the power of attorney authorized by subsection (a) and shall not be subject to any laws or rules or regulations dealing with the licensing or regulation of foster care homes.

(d) Except as otherwise provided by law, the execution of a power of attorney by a parent or legal custodian, as authorized in subsection (a), shall not constitute abandonment, abuse or neglect as defined in K.S.A. 38-2202, and amendments thereto, unless the parent or legal custodian fails to take custody of the child or execute a new power of attorney after the one-year time limit has elapsed.

(e) Under a delegation of powers as authorized by subsection (a), the child or children subject to the power of attorney shall not be considered as placed in foster care and the parties shall not be subject to any of the requirements or licensing laws, rules or regulations for foster care or other regulations relating to community care for children.

(f) A serving parent may delegate the power designated in subsection (a) for a period longer than one year if on active duty service. The term of delegation, however, may not exceed the term of active duty service plus 30 days.

New Sec. 4. (a) The following statutory form of power of attorney to delegate parental or legal authority as authorized by section 3, and amendments thereto, is legally sufficient:

Statutory Form for Power of Attorney to Delegate Parental or Legal Custodian Powers

1. "I certify that I am the parent or legal custodian of:

---

(Full name of minor child)

---

(Date of birth)

\_\_\_\_\_  
(Full name of minor child) (Date of birth)

\_\_\_\_\_  
(Full name of minor child) (Date of birth)"

2. "I designate \_\_\_\_\_  
(Full name of Attorney in fact),

\_\_\_\_\_  
(Street address, city, state and zip code of Attorney in fact)

\_\_\_\_\_  
(Home phone of Attorney in fact) (Work phone of Attorney in fact)  
as the attorney in fact of each minor child named above."

3. "I delegate to the attorney in fact all of my power and authority regarding the care, custody and property of each minor child named above, including, but not limited to, the right to enroll the child in school, inspect and obtain copies of education records and other records concerning the child, the right to attend school activities and other functions concerning the child, and the right to give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function or treatment that may concern the child. This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child." or

4. "I delegate to the attorney in fact the following specific powers and responsibilities (write in): \_\_\_\_\_  
(In the event paragraph 4 is completed paragraph 3 does not apply).

This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child."

5. "This power of attorney is effective for a period not to exceed one year, beginning \_\_\_\_\_, 20\_\_, and ending \_\_\_\_\_, 20\_\_. I reserve the right to revoke this authority at any time."

6. "I am a serving parent as defined in the safe families act. My active duty is estimated to be completed on \_\_\_\_\_. I acknowledge that in no event may this delegation of power last more than one year or the term on my active duty plus 30 days, whichever is longer.

By: \_\_\_\_\_  
(Parent/Legal Custodian signature)"

7. "I hereby accept my designation as attorney in fact for \_\_\_\_\_  
(Minor child(ren)) as specified in this power of attorney.

\_\_\_\_\_  
(Attorney in fact signature)

State of \_\_\_\_\_

County of \_\_\_\_\_

**ACKNOWLEDGMENT**

Before me, the undersigned, a Notary Public, in and for \_\_\_\_\_  
County and this State on this \_\_\_ day of \_\_\_\_\_, 20\_\_, personally appeared \_\_\_\_\_  
(Name of Parent/Legal Custodian) and

\_\_\_\_\_ (Name of Attorney in fact), to me known to be the identical persons who executed this instrument and acknowledged to me that each executed the same of such person's free and voluntary act and deed for the uses and purposes set forth in the instrument.

Witness my hand and official seal the day and year above written.

\_\_\_\_\_  
(Signature of notarial officer)

\_\_\_\_\_  
(Seal, if any)

\_\_\_\_\_  
(Title and Rank)

My commission expires: \_\_\_\_\_"

(b) The power of attorney is legally sufficient under the safe families act, if the wording of the form complies substantially with subsection (a), the form is properly completed and the signatures of the parties are acknowledged.

New Sec. 5. During any child protective investigation by the Kansas department for children and families that does not result in an out-of-home placement resulting from abuse of a child, a child protective investigator shall provide information to the parent or custodians who are under financial distress, unemployed, homeless or experiencing other family crises about community service programs that provide respite care, voluntary guardianship, other support services for families in crisis, including churches and other organizations that work with safe families for children and the safe families act.

New Sec. 6. Any attorney in fact delegated authority under the safe families act by a parent or legal custodian is not subject to the requirements of any other child care facility licensing statutes, rules or regulations or foster care licensing laws or rules or regulations and will not constitute an out-of-home child placement under the child in need of care code, K.S.A. 38-2201 et seq., and amendments thereto.

New Sec. 7. The Kansas department for children and families is hereby authorized to work with families who are in financial distress, unemployed, homeless or experiencing other family crises by detailing community resources available to such families in the community, including, but not limited to, respite care, voluntary guardianship under the safe families act and information regarding churches and other organizations that work as host families for safe families for children in the state.

Sec. 8. K.S.A. 2014 Supp. 38-2231 is hereby amended to read as follows: 38-2231.

(a) A law enforcement officer or court services officer shall take a child under 18 years of age into custody when:

(1) The law enforcement officer or court services officer has a court order commanding that the child be taken into custody as a child in need of care; or

(2) the law enforcement officer or court services officer has probable cause to believe that a court order commanding that the child be taken into custody as a child in need of care has been issued in this state or in another jurisdiction.

(b) A law enforcement officer shall take a child under 18 years of age into custody when the officer:

(1) Reasonably believes the child will be harmed if not immediately removed from the place or residence where the child has been found;

(2) has probable cause to believe that the child is a missing person and a verified missing person entry for the child can be found in the national crime information center missing person system; or

(3) reasonably believes the child is a victim of human trafficking, aggravated hu-

man trafficking or commercial sexual exploitation of a child; or

(4) has probable cause to believe that a violation of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, is occurring in the child's residence and reasonably believes such violation threatens the safety of the child.

(c) (1) If a person provides shelter to a child whom the person knows is a runaway, such person shall promptly report the child's location either to a law enforcement agency or to the child's parent or other custodian.

(2) If a person reports a runaway's location to a law enforcement agency pursuant to this section and a law enforcement officer of the agency has reasonable grounds to believe that it is in the child's best interests, the child may be allowed to remain in the place where shelter is being provided, subject to subsection (b), in the absence of a court order to the contrary. If the child is allowed to so remain, the law enforcement agency shall promptly notify the secretary of the child's location and circumstances.

(d) Except as provided in subsections (a) and (b), a law enforcement officer may temporarily detain and assume temporary custody of any child subject to compulsory school attendance, pursuant to K.S.A. 72-1111 and amendments thereto, during the hours school is actually in session and shall deliver the child pursuant to ~~subsection (g)~~ of K.S.A. 2014 Supp. 38-2232(g), and amendments thereto.

Sec. 9. K.S.A. 2014 Supp. 41-727 is hereby amended to read as follows: 41-727.

(a) Except with regard to serving of alcoholic liquor or cereal malt beverage as permitted by K.S.A. 41-308a, 41-308b, 41-727a, 41-2610, 41-2652, 41-2704 and 41-2727, and amendments thereto, and subject to any rules and regulations adopted pursuant to such statutes, no person under 21 years of age shall possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic liquor or cereal malt beverage except as authorized by law.

(b) Violation of this section by a person 18 or more years of age but less than 21 years of age is a class C misdemeanor for which the minimum fine is \$200.

(c) Any person less than 18 years of age who violates this section is a juvenile offender under the revised Kansas juvenile justice code. Upon adjudication thereof and as a condition of disposition, the court shall require the offender to pay a fine of not less than \$200 nor more than \$500.

(d) In addition to any other penalty provided for a violation of this section: (1) The court may order the offender to do either or both of the following:

(A) Perform 40 hours of public service; or

(B) attend and satisfactorily complete a suitable educational or training program dealing with the effects of alcohol or other chemical substances when ingested by humans.

(2) Upon a first conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 30 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 30 days whether or not that person has a driver's license.

(3) Upon a second conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 90 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 90 days whether or not that person has a driver's license.

(4) Upon a third or subsequent conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for

one year. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for one year whether or not that person has a driver's license.

(e) This section shall not apply to the possession and consumption of cereal malt beverage by a person under the legal age for consumption of cereal malt beverage when such possession and consumption is permitted and supervised, and such beverage is furnished, by the person's parent or legal guardian.

(f) (1) A person and, if applicable, one or two other persons acting in concert with such person are immune from criminal prosecution for a violation of this section, and any city ordinance or county resolution prohibiting the acts prohibited by this section, if such person:

(A) (i) Initiated contact with law enforcement or emergency medical services and requested medical assistance on such person's behalf because such person reasonably believed such person was in need of medical assistance; and

(ii) cooperated with emergency medical services personnel and law enforcement officers;

(B) (i) initiated contact with law enforcement or emergency medical services, or was one of one or two other persons who acted in concert with such person, and requested medical assistance for another person who reasonably appeared to be in need of medical assistance;

(ii) provided their full name, the name of one or two other persons acting in concert with such person, if applicable, and any other relevant information requested by law enforcement or emergency medical services;

(iii) remained at the scene with the person who reasonably appeared to be in need of medical assistance until emergency medical services personnel and law enforcement officers arrived; and

(iv) cooperated with emergency medical services personnel and law enforcement officers; or

(C) (i) was the person who reasonably appeared to be in need of medical assistance as described in subsection (f)(1)(B), but did not initiate contact with law enforcement or emergency medical services; and

(ii) cooperated with emergency medical services personnel and law enforcement officers.

(2) A person shall not be allowed to initiate or maintain an action against a law enforcement officer, or such officer's employer, based on the officer's compliance or failure to comply with this subsection.

~~(f)-(g)~~ Any city ordinance or county resolution prohibiting the acts prohibited by this section shall provide a minimum penalty which is not less than the minimum penalty prescribed by this section.

~~(e)-(h)~~ A law enforcement officer may request a person under 21 years of age to submit to a preliminary screening test of the person's breath to determine if alcohol has been consumed by such person if the officer has reasonable grounds to believe that the person has alcohol in the person's body except that, if the officer has reasonable grounds to believe the person has been operating or attempting to operate a vehicle under the influence of alcohol, the provisions of K.S.A. 8-1012, and amendments thereto, shall apply. No waiting period shall apply to the use of a preliminary breath test under this subsection. If the person submits to the test, the results shall be used for the purpose of as-

sisting law enforcement officers in determining whether an arrest should be made for violation of this section. A law enforcement officer may arrest a person based in whole or in part upon the results of a preliminary screening test. Such results or a refusal to submit to a preliminary breath test shall be admissible in court in any criminal action, but are not per se proof that the person has violated this section. The person may present to the court evidence to establish the positive preliminary screening test was not the result of a violation of this section.

~~(h)~~(i) (1) Any person less than 18 years of age who violates only this section shall not be detained or placed in a jail, as defined in K.S.A. 2014 Supp. 38-2302, and amendments thereto.

(2) Any person less than 18 years of age who is arrested only for a violation of this section shall not be detained or placed in a juvenile detention facility, as defined in K.S.A. 2014 Supp. 38-2302, and amendments thereto, for a period exceeding 24 hours, excluding Saturdays, Sundays and legal holidays.

(3) Any person less than 18 years of age at the time of the offense who is adjudicated only of a violation of this section shall not be detained in a jail, juvenile detention facility, juvenile correctional facility or sanctions house, as defined in K.S.A. 2014 Supp. 38-2302, and amendments thereto.

~~(h)~~(j) This section shall be part of and supplemental to the Kansas liquor control act.

Sec. 10. K.S.A. 2014 Supp. 38-2231 and 41-727 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "children and minors; enacting the safe families act; relating to when law enforcement officers shall take a child into custody; relating to possession or consumption of alcoholic beverages, immunity from criminal prosecution for certain minors; amending K.S.A. 2014 Supp. 38-2231 and 41-727 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

JOHN E. BARKER

CHARLES MACHEERS

*Conferees on part of House*

JEFF KING

GREG SMITH

*Conferees on part of Senate*

On motion of Rep. Macheers to adopt the conference committee report on **SB 113**, Rep. Finch offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The substitute motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Barker, Macheers and Ward as third conferees on the part of the House.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 103**, by Representative Gail Finney, congratulating Beta Kappa Omega Chapter of Alpha Kappa Sorority, Inc. in recognition for celebrating eighty years of service in the Wichita Community;

**Request No. 104**, by Representative Dennis Hedke, commending and honoring Bobby Lee Johnson, on his meritorious military service;

**Request No. 105**, by Representative Virgil Peck, congratulating Terry and Connie Brake on their 50<sup>th</sup> wedding anniversary;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Vickrey, the committee report was adopted.

Upon unanimous consent, the House referred back to the order of business, Introduction of Bills and Concurrent Resolutions.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Burroughs, **HCR 5019**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

**HCR 5019--** A CONCURRENT RESOLUTION relating to the adjournment of the senate and the house of representatives for a period of time during the 2015 regular session of the legislature.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on May 21, 2015, and shall reconvene on May 26, 2015, pursuant to adjournment of the daily session convened on May 21, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.



**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

**HOUSE RESOLUTION No. HR 6028—**

By Reps. Sloan, Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleebe, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore

**HR 6028—**A RESOLUTION congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

A RESOLUTION congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

WHEREAS, Andy Tompkins became President and CEO of the Kansas Board of Regents on June 1, 2010. The Kansas Board of Regents is the governing board of the state's six universities and the statewide coordinating board for the state's 32 public higher education institutions (seven public universities, 19 community colleges and six technical colleges). In addition, the Board administers the state's student financial aid, adult education, GED and career and technical education programs. The Board also authorizes private proprietary schools and out-of-state institutions to operate in Kansas, and administers the KAN-ED network, a statewide network that provides broadband internet access and distance learning capabilities for schools, hospitals and libraries; and

WHEREAS, Dr. Tompkins previously served as the Dean of the College of Education, and as Associate Professor in the Department of Special Services and Leadership Studies at Pittsburg State University (PSU). From 2005 to 2007, he served as an Associate Professor in the Department of Education Leadership and Policy Studies at the University of Kansas; and

WHEREAS, Dr. Tompkins served as the Kansas State Department of Education's Commissioner of Education from 1996 through 2005. Throughout his career he has held various positions in K-12 and higher education serving as a high school teacher, principal, superintendent, university associate professor, department chair and college dean; and

WHEREAS, Dr. Tompkins earned his undergraduate degree in English at East Central State University in Ada, Oklahoma. He earned his master's degree from Emporia State University and his doctorate from the University of Kansas in Educational Administration; and

WHEREAS, Dr. Tompkins has earned numerous honors, including distinguished alumni and service awards from Emporia State University and the University of Kansas. He was inducted into the Kansas Teacher's Hall of Fame in 2001, was recognized as a Master Teacher in 1999 and was awarded the leadership Kansas Alumnus of the Year Award in 2002; and

WHEREAS, Dr. Tompkins and his wife, Glenda, live in Topeka. They have two children, Kyle and Amanda: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate, commend and thank Andy Tompkins for his long and successful career serving the people of Kansas. We wish him all the best in his retirement; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Andy Tompkins.

### **CHANGE OF CONFEREES**

Speaker pro tem Mast announced the appointment of Rep. Ballard as a member of the conference committee on **S Sub for HB 2135** to replace Rep. Henry.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Rep. Davis to replace Rep. Mason on Committee on Taxation on May 26 and 27 only.

Also, the appointment of Rep. W. Carpenter to replace Rep. Suellentrop on Committee on Appropriations from May 26 through May 29. Rep. Suellentrop will resume his membership on the committee on May 30. Rep. Hutton will serve as Vice Chairman during the absence of Rep. Suellentrop.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, May 26, 2015.

# Journal of the House

## SEVENTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, May 26, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 116 members present.

Reps. Edmonds, Kelley, Lane, Lusk, Mason, Peck, Smith, Suellentrop and Whipple were excused on excused absence by the Speaker.

Rep. Williams was excused later in the day on verified illness.

Prayer by Chaplain Brubaker:

Gracious God,  
Thank You for the long weekend  
to not only pause and remember those  
who have given their lives to protect us and our freedom,  
but also to be able to step away from the business,  
taking a break from all the stress of making tough decisions,  
and hopefully gain new perspectives and ideas  
to deal with the difficult issues at hand.  
Thank You for renewed energy to come this week  
to work together in unity to do what is Your will  
and not our own individual wills.  
Guide the conversations this week and help all of us to  
think and say that which is  
true, noble, right, pure, lovely, admirable, excellent  
and praiseworthy.  
This I pray in Your Son's Name,  
Amen.

The Pledge of Allegiance was led by Rep. Barker.

### MESSAGES FROM THE SENATE

Announcing passage of **Sub for HB 2224**.

Announcing passage of **HB 2228**, as amended by **S Sub for HB 2228; HB 2353**, as amended by **S Sub for HB 2353**.

Also, announcing adoption of **HCR 5019**.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Rep. Burroughs to replace Rep. Whipple on Committee on Taxation on May 26 and 27.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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**AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**MESSAGES FROM THE GOVERNOR**

**HB 2256** approved on May 22, 2015

**MESSAGES FROM THE SENATE**

The Senate accedes to the request of the House for a conference on **SB 113** and has appointed Senators King, Smith and Haley as third conferees on the part of the Senate.

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Sloan, **HR 6028**, A RESOLUTION congratulating and commending Andy Tompkins for his many years of service to the people of Kansas, was adopted.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2003**, **HB 2364**.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2003** submits the following report:

The Senate recesses from all of its amendments to the bill.

And your committee on conference recommends the adoption of this report.

DENNIS PYLE  
 JAKE LATURNER  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

STEVE HUEBERT  
 TOM PHILLIPS  
 JOHN ALCALA  
*Conferees on part of House*

On motion of Rep. Huebert, the conference committee report on **HB 2003** was adopted.

On roll call, the vote was: Yeas 106; Nays 7; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleeb, Lewis, Lunn, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Sutton, Swanson, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Barton, Bradford, Bridges, Dove, Kuether, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Edmonds, Kelley, Kiegerl, Lane, Lusk, Mason, Peck, Smith, Suellentrop, Thimesch, Whipple, Williams.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2364** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows: On page 1, by striking all in lines 6 through 36;

By striking all on pages 2 and 3 and inserting the following:

"Section 1. K.S.A. 19-2761 is hereby amended to read as follows: 19-2761. ~~That should~~ (a) Except as provided in subsection (b), when a vacancy ~~occurs~~ occurs at any time in the office of a director of any improvement district, the remaining directors shall appoint a person from the qualified residents in such district ~~a person~~ to hold the office of director until the next election.

(b) (1) When a vacancy occurs in the office of a director of the Peck improvement district located in Sumner and Sedgwick counties, the board of county commissioners of Sumner county shall appoint a resident of Sumner county or Sedgwick county to hold the office of director until the next election.

(2) Once the appointment of a director has been made under paragraph (1), the Sedgwick county board of commissioners shall have 30 days to reject such appointment by a majority vote of the board. If no such action is taken, the appointment shall be deemed approved. If the appointment is rejected, the appointment process shall be repeated until a director is selected.

Sec. 2. K.S.A. 19-2761 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.":

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, before "section" by inserting "certain improvement districts; amending K.S.A. 19-2761 and repealing the existing";

And your committee on conference recommends the adoption of this report.

DENNIS PYLE  
 STEVE FITZGERALD  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

STEVE HUEBERT  
 TOM PHILLIPS  
 JOHN ALCALA  
*Conferees on part of House*

On motion of Rep. Phillips, the conference committee report on **HB 2364** was adopted.

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kleebe, Kueher, Lewis, Lunn, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Kelley, Kiegerl, Lane, Lusk, Mason, Peck, Smith, Suellentrop, Thimesch, Whipple, Williams.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### REPORT ON ENGROSSED BILLS

**HB 2025, HB 2104** reported correctly engrossed May 22, 2015.

**HB 2055** reported correctly re-engrossed May 21, 2015.

#### REPORT ON ENROLLED BILLS

**S Sub for HB 2095, HB 2106, HB 2154, Sub HB 2159, S Sub for Sub HB 2170, HB 2233, HB 2395** reported correctly enrolled, properly signed and presented to the Governor on May 22, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, May 27, 2015.

# Journal of the House

SEVENTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, May 27, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 95 members present.

Reps. Billinger, Boldra, Bradford, Carlin, W. Carpenter, Concannon, Estes, Ewy, Henderson, Highland, Hoffman, Johnson, O'Brien, Phillips, Schroeder, Schwartz, Sloan, Swanson and Waymaster were excused on legislative business.

Reps. Bruchman, Edmonds, Frownfelter, Kelley, Mason, Moxley, Powell, Schwab, Suellentrop, Thompson and Whipple were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for the many blessings You give us,  
and for another day to be a blessing to others.  
Lord, whenever we don't see prayers being answered  
or situations not moving along as we would like,  
we begin to P.U.S.H.  
Although I have been doing it all session,  
today I am going to P.U.S.H. harder  
in order to see some things accomplished here.  
Lest anyone here thinks I am overstepping my boundaries,  
when I say I am going to P.U.S.H.,  
it means I am going to Pray Until Something Happens.  
Help all of us to P.U.S.H. and exercise our *faith*—  
"...being sure of what we hope for and certain of what we do not see."  
I pray this in Christ's Name,  
Amen.

The Pledge of Allegiance was led by Rep. Goico.

## COMMUNICATIONS FROM STATE OFFICERS

From Ray Roberts, Secretary of Corrections, in accordance with K.S.A. 60-4117, report of the Kansas Department of Corrections State Forfeiture Fund for the period of December 2, 2013 through December 1, 2014.

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



**REPORTS OF STANDING COMMITTEES**

Committee on **Taxation** recommends **SB 29** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 29," as follows:

"House Substitute for SENATE BILL NO. 29

By Committee on Taxation

"AN ACT concerning taxation; relating to income tax, rates, itemized deductions, credits, income modifications and rural opportunity zones; tax amnesty; sales and compensating use tax, rates, food and distribution thereof; sales tax authority for Bourbon, Douglas and Thomas counties; cigarettes, rates; property taxation, consolidated fire districts; amending K.S.A. 2014 Supp. 12-187, 12-189, 12-192, 12-3915, 74-50,208, 74-50,222, 74-50,223, 79-32,110, 79-32,117, 79-32,120, 79-32,267, 79-32,269, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3620, 79-3695, 79-3703 and 79-3710 and repealing the existing sections."; and the substitute bill be reported without recommendation.

(**H Sub for SB 29** was thereupon introduced and read by title.)

**REPORT ON ENGROSSED BILLS**

**HB 2364** reported correctly engrossed May 27, 2015.

**HB 2003** reported correctly re-engrossed May 27, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, May 28, 2015.

# Journal of the House

SEVENTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, May 28, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 117 members present.

Reps. Estes and Sloan were excused on legislative business.

Reps. Barker, Bollier, Hawkins, Moxley, Suellentrop and Thompson were excused on excused absence by the Speaker.

Rep. Edmonds was excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

All-knowing God,  
As we come before You this morning,  
thankful for this day You have given us,  
it is quite evident that our leaders  
are in a standstill – frustrated as to what to do.  
In times like this, it is good to remember to do three things:  
First, help them to STOP and recognize that You are good  
and will not leave them frustrated for Your Word promises,  
“I will instruct you and teach you the way you should go...”  
Secondly, help them to intentionally SEEK You in this situation.  
Your Word encourages us that  
“if any of them are lacking in wisdom, ask God,  
who gives to all generously and ungrudgingly,  
and it will be given them.”  
Lastly, help them to SUBMIT their desires to You,  
and place their trust in You for Your Word says,  
“...my thoughts are not your thoughts,  
neither are your ways my ways, declares the Lord.  
As the heavens are higher than the earth,  
so are my ways higher than your ways  
and my thoughts than your thoughts.”  
I ask that You help them to remember these words  
as they work throughout the day to bring  
resolution to the issues at hand.  
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Lunn.

## COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Pauls to replace Rep. Barker as Chair of the Committee on Rules and Regulations effective immediately which will expire at the end of the day on June 1.

Also, the appointment of Rep. Burroughs to replace Rep. Whipple on Committee on Taxation on May 28.

On motion of Rep. Vickrey, the House recessed until 2:30 p.m.

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## AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

## MESSAGES FROM THE GOVERNOR

**HB 2106, Sub HB 2159, S Sub for Sub HB 2170, HB 2395** approved on May 27, 2015.

Also, **HB 2233** approved on May 28, 2015.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2353, H Sub for SB 29**.

## MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Ryckman, the House concurred in Senate amendments to **S Sub for HB 2353**, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education; amending K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House Substitute for Senate Bill No. 7, 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, 72-5413, 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7 and Sections 5 and 6 of 2015 House Substitute for Senate Bill No. 7 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 72-6434, as amended by section 7 of this act, and 72-8814, as amended by section 8 of this act (see further action, HJ p. 915).

On roll call, the vote was: Yeas 113; Nays 3; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hedke, Hemsley,

Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Highberger, Lane, Ward.

Present but not voting: None.

Absent or not voting: Barker, Bollier, Edmonds, Estes, Hawkins, Moxley, Sloan, Suellentrop, Thompson.

### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey to advance **H Sub for SB 29** to Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call, the motion failed to receive the required 2/3 vote of the members present.

### COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Ward to replace Rep. Lusker on Joint Committee on State Building Construction on May 29 only.

Also, the appointment of Rep. Whipple to replace Rep. Burroughs on Committee on Taxation on May 28.

Also, the appointment of Rep. W. Carpenter to replace Rep. Edmonds on Committee on Taxation through the end of the day on May 31.

### REPORT ON ENROLLED RESOLUTIONS

**HCR 5019, HR 6028** reported correctly enrolled and properly signed on May 28, 2015.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Friday, May 29, 2015.

# Journal of the House

## SEVENTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, May 29, 2015, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 118 members present.

Rep. Sloan was excused on legislative business.

Reps. Barker, Bollier, DeGraaf, Edmonds, Suellentrop and Thompson were excused on excused absence by the Speaker.

Present later: Reps. DeGraaf and Suellentrop.

Prayer by Chaplain Brubaker:

Omnipotent God,  
Thank You for another day to come to You,  
seeking Your guidance and help.  
You, who have made the heavens and the earth  
by your great power and outstretched arm,  
assure us that nothing is too difficult for You.  
As we find ourselves in a time and situation  
where a breakthrough is badly needed,  
we claim this promise from You.  
So, in confidence and faith,  
we ask – so that it will be given to us;  
we seek – so that we will find;  
and we knock – so that the door will be opened  
for wisdom, guidance and resolution  
in the complex decisions that need to be made.  
I pray this in Your all-powerful Name,  
Amen.

The Pledge of Allegiance was led by Rep. Hutton.

### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2223**.

The Senate adopts the Conference Committee report on **HB 2352**.

### INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Schwartz

moved that the House reconsider its previous action of concurring on **S Sub for HB 2353**, and the bill be returned to that order of business, Concur or Nonconcur. (see previous action, HJ p. 913). The motion prevailed.

The question reverted back to the motion to concur, and on motion of Rep. Ryckman, the House nonconcurred in Senate amendments to **S Sub for HB 2353** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Schwartz and Henry as conferees on the part of the House.

## INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, **H Sub for SB 270** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Kleeb, **H Sub for SB 270** was further amended, as amended by House Committee of the Whole, on page 3, by striking all in lines 11 through 43;

By striking all on pages 4 through 28;

On page 29, by striking all in lines 1 and 2 and inserting:

"Sec. 2. K.S.A. 2014 Supp. 12-187 is hereby amended to read as follows: 12-187.

(a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within such county which contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within such county which levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this

paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted

by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of ~~paragraph (5) of subsection (b) of K.S.A. 68-2314(b)(5)~~, and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to ~~paragraph (2) of subsection (a)(2)~~ by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in



this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) The board of county commissioners of Clay, Dickinson and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay and Dickinson county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) The board of county commissioners of Cowley, Crawford, Russell and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford, Russell and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging

the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom as follows: 50% of such revenues for the purpose of financing for economic development initiatives; and 50% of such revenues for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after seven years from the date such tax is first collected. The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% which such tax shall take effect after the expiration of the tax imposed pursuant to this paragraph prior to the effective date of this act, and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging

the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabaunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project or projects.

(23) The board of county commissioners of Butler county may submit the question

of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or

remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within each of such counties which contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within each of such counties which levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

Sec. 3. K.S.A. 2014 Supp. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward, Thomas or Wyandotte county, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison county, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown county, for the purposes of ~~paragraph (2) of subsection (b) of K.S.A. 12-187(b)(2)~~, and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of ~~paragraph (3) of subsection (b) of K.S.A. 12-187(b)(3)~~, and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of ~~paragraph (4) of subsection (b) of K.S.A. 12-187(b)(4)~~, and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county for the purposes of ~~paragraph (5) of subsection (b) of K.S.A. 12-187(b)(5)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of

~~paragraph (7) of subsection (b) of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of paragraph (7) of subsection (b) of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;~~

(f) ~~the board of county commissioners of Sherman county, for the purposes of paragraph (8) of subsection (b) of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;~~

(g) ~~the board of county commissioners of Crawford or Russell county for the purposes of paragraph (9) of subsection (b) of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;~~

(h) ~~the board of county commissioners of Franklin county, for the purposes of paragraph (10) of subsection (b) of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;~~

(i) ~~the board of county commissioners of Douglas county, for the purposes of paragraph (11) of subsection (b) of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.25% 1.75%;~~

(j) ~~the board of county commissioners of Jackson county, for the purposes of subsection (b)(13) of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;~~

(k) ~~the board of county commissioners of Sedgwick county, for the purposes of paragraph (3)(C) of subsection (b) of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;~~

(l) ~~the board of county commissioners of Neosho county, for the purposes of paragraph (14) of subsection (b) of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;~~

(m) ~~the board of county commissioners of Saline county, for the purposes of paragraph (15) of subsection (b) of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;~~

(n) ~~the board of county commissioners of Harvey county, for the purposes of paragraph (16) of subsection (b) of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;~~

(o) ~~the board of county commissioners of Atchison county, for the purpose of paragraph (17) of subsection (b) of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;~~

(p) ~~the board of county commissioners of Wabaunsee county, for the purpose of paragraph (18) of subsection (b) of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;~~

(q) ~~the board of county commissioners of Jefferson county, for the purpose of paragraphs (19) and (25) of subsection (b) of K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;~~

(r) ~~the board of county commissioners of Riley county, for the purpose of paragraph (20) of subsection (b) of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be~~



imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county for the purposes of ~~paragraph (21) of subsection (b) of~~ K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county for the purposes of ~~paragraph (22) of subsection (b) of~~ K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county for the purposes of ~~paragraph (23) of subsection (b) of~~ K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(v) the board of county commissioners of Barton county, for the purposes of ~~paragraph (24) of subsection (b) of~~ K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;

(w) the board of county commissioners of Lyon county, for the purposes of ~~paragraph (3)(D) of subsection (b) of~~ K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;

(x) the board of county commissioners of Rawlins county, for the purposes of ~~paragraph (3)(E) of subsection (b) of~~ K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;

(y) the board of county commissioners of Chautauqua county, for the purposes of ~~paragraph (3)(F) of subsection (b) of~~ K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;

(z) the board of county commissioners of Pottawatomie county, for the purposes of ~~paragraph (26) of subsection (b) of~~ K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;

(aa) the board of county commissioners of Kingman county, for the purposes of ~~paragraph (27) of subsection (b) of~~ K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of ~~paragraph (28) of subsection (b) of~~ K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%; ~~and~~

(cc) the board of county commissioners of Rooks county, for the purposes of ~~paragraph (29) of subsection (b) of~~ K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%; ~~and~~

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax



act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in ~~paragraph (22) of subsection (b) of K.S.A. 12-187(b)(22)~~, and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax which exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 4. K.S.A. 2014 Supp. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by

the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner: (1) One-half of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and (2) one-half of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county. All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner: (A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and (B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows: (i) One-fourth shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; (ii) one-fourth shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and (iii) one-half shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for

purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to ~~paragraphs (2), (3)(C), (3)(F), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28) and (29) of subsection (b) of K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30) and (31),~~ and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in ~~paragraph (5) of subsection (b) of K.S.A. 12-187(b)(5),~~ and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to ~~paragraph (5) of subsection (b) of K.S.A. 12-187(b)(5),~~ and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to ~~paragraph (26) of subsection (b) of K.S.A. 12-187(b)(26),~~ and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by ~~paragraph (26) of subsection (b) of K.S.A. 12-187(b)(26),~~ and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a

countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 5. K.S.A. 2014 Supp. 12-3915 is hereby amended to read as follows: 12-3915. The governing body of any fire district created pursuant to this act shall have the authority to:

(a) Levy taxes and special assessments as provided by law. Except as provided by K.S.A. 12-3913, and amendments thereto, the governing body shall fix the amount of the tax, ~~not to exceed 15 mills~~, to be levied upon all taxable tangible property in the consolidated fire district;

(b) enter into contracts;

(c) acquire and dispose of real and personal property;

(d) acquire, construct, reconstruct, equip, operate, maintain and furnish buildings to house fire-fighting equipment;

(e) acquire, operate and maintain fire-fighting equipment;

(f) issue general obligation bonds and no-fund warrants;

(g) pay compensation and salaries to fire district employees;

(h) exercise eminent domain;

(i) pay the operation and maintenance expenses of the fire district and other expenses legally incurred by the district;

(j) select regular employees, provide for their compensation and furnish quarters for such employees if deemed desirable;

(k) provide for the organization of volunteer members who may be compensated for fighting fires, responding to emergencies or attending meetings;

(l) provide special clothing and equipment for such employees and volunteers;

(m) insure such employees and volunteers against accidental death and injury in the performance of their duties;

(n) pay for the acquisition, installation or maintenance of one or more fire hydrants, or similar devices for fighting fires, including necessary equipment, services or supplies related thereto.

The acquisition, installation and maintenance shall be subject to the mutual agreement of the governing body of the fire district and the governing body of the rural water district which owns, operates or maintains the water line on which the fire hydrant, or other similar device for fighting fires, is to be installed; and

(o) do all things necessary or desirable to maintain and operate such department so as to furnish fire protection for the inhabitants of the district and otherwise effectuate the purposes of this act.

Sec. 6. K.S.A. 2014 Supp. 74-50,208 is hereby amended to read as follows: 74-50,208. (a) A program contributor shall be allowed a credit against state income tax imposed under the Kansas income tax act in an amount not to exceed 75% of the

contribution amount. If the amount of the credit allowed by this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer. No credit pursuant to this section shall be allowed for any contribution made by a program contributor which also qualified for a community services tax credit pursuant to the provisions of K.S.A. 79-32,195 et seq., and amendments thereto.

(b) The administration of the community-based organization, with the cooperation of the participating financial institutions, shall submit the names of contributors and the total amount each contributor contributes to the individual development account reserve fund for the calendar year. The secretary of revenue shall determine the date by which such information shall be submitted to the department of revenue by the local administrator.

(c) The total tax credits authorized pursuant to this section shall not exceed \$500,000 in any fiscal year.

(d) The provisions of this section shall be applicable to all taxable years commencing after December 31, ~~2010~~ 2014.

~~(e) For tax year 2013 and all tax years thereafter, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to subsection (c) of K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.~~

Sec. 7. K.S.A. 2014 Supp. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar year 2012, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a), under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such

resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, ~~and prior to July 1, 2016~~. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. ~~No resident individual shall enroll and be eligible to participate in this program after June 30, 2016.~~

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter ~~until January 1, 2017~~, the secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 8. K.S.A. 2014 Supp. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, ~~and before January 1, 2017~~, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Establishes domicile in a rural opportunity zone on or after July 1, 2011, ~~and prior to January 1, 2016~~, and was domiciled outside this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

(2) had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(3) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) This section shall be part of and supplemental to the Kansas income tax act. Sec. 9. K.S.A. 2014 Supp. 12-187, 12-189, 12-192, 12-3915, 74-50,208, 74-50,223 and 79-32,267 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "tax, "; in line 2, by striking all before the last semicolon, and inserting "credits, individual development accounts; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts; tax amnesty; rural opportunity zones"; in line 3, by striking all after "Supp."; in line 4, by striking all before the second "and" and inserting "12-187, 12-189, 12-192, 12-3915, 74-50,208, 74-50,223 and 79-32,267";

Also, Rep. Dove called the previous question. The motion to call the question prevailed.

**H Sub for SB 270**, AN ACT concerning taxation; relating to income tax, rates, itemized deductions; tax amnesty; sales and compensating use tax, rates, food; amending K.S.A. 2014 Supp. 79-32,110, 79-32,120, 79-3602, 79-3603, 79-3620, 79-3695, 79-3703 and 79-3710 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 64; Nays 54; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Anthimides, Barton, Becker, Billinger, Boldra, Bradford, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, Davis, Dove, Esau, Estes, Ewy, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, Kelly, Kleebe, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Powell, Proehl, Read, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Sutton, Thimesch, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Bridges, Bruchman, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, K. Jones, Kahrs, Kelley, Kiegerl, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Peck, Phillips, Rhoades, Rooker, Ruiz, Sawyer, Swanson, Tietze, Todd, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Barker, Bollier, DeGraaf, Edmonds, Sloan, Suellentrop, Thompson.

The substitute bill passed, as amended.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### MESSAGES FROM THE GOVERNOR

**S Sub for HB 2095, HB 2154** approved on May 29, 2015



### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2223** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 7, in line 12, after "venue" by inserting a comma; in line 33, after "(e)" by inserting "(1) A public venue, club or drinking establishment may offer customer self-service of wine from automated devices on licensed premises so long as the licensee monitors and has the ability to control the dispensing of such wine from the automated devices.

(2) The secretary may adopt rules and regulations as necessary to implement the provisions of this subsection.

(f)";

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

On page 18, in line 40, after "event" by inserting "or catered event"; in line 43, after the first "event" by inserting "or when the caterer's licensee has provided the required notification pursuant to K.S.A. 41-2643, and amendments thereto"; also in line 43, by striking "Such" and inserting "Any";

On page 19, in line 4, by striking "such"; also in line 4, after "event" by inserting "or catered event"; in line 7, after "township" by inserting ", or the boundaries of the catered event"; also in line 7, by striking "such" and inserting "a"; in line 34, by striking "or"; in line 37, after "thereto" by inserting "; or

(6) on the premises of an unlicensed business as authorized pursuant to subsection (i)";

On page 21, following line 2, by inserting:

"(12) On the premises of the state capitol building or on its surrounding premises during an official state function of a nonpartisan nature that has been approved by the legislative coordinating council.;"

Also on page 21, in line 25, after "(i)" by inserting "(1) An unlicensed business may authorize patrons or guests of such business to consume alcoholic liquor on the premises of such business provided:

(A) Such alcoholic liquor is in the personal possession of the patron and is not sold, offered for sale or given away by the owner of such business or any employees thereof;

(B) possession and consumption of alcoholic liquor shall not be authorized between the hours of 12 a.m. and 9 a.m.;

(C) the business, or any owner thereof, shall not have had a license issued under either the Kansas liquor control act or the club and drinking establishment act revoked for any reason; and

(D) no charge of any sort may be made by the business for the privilege of possessing or consuming alcoholic liquor on the premises, or for mere entry onto the premises.

(2) It shall be a violation of this section for any unlicensed business to authorize the possession or consumption of alcoholic liquor by a patron of such business when such authorization is not in accordance with the provisions of this subsection.



(3) For the purposes of this subsection, "patron" means a natural person who is a customer or guest of an unlicensed business.

(j)";

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

On page 28, following line 3, by inserting:

"New Sec. 25. (a) Any person engaged in business as a vineyard with not less than 100 vines may apply to the director for an annual vineyard permit.

(b) A vineyard permit shall authorize the sale in the original, unopened container and the serving by the drink of wine on the premises specified in the permit. A vineyard permit also shall authorize the permit holder to conduct wine tastings in accordance with K.S.A. 2014 Supp. 41-308d, and amendments thereto, on the premises specified in the permit. All wine sold or served by the permit holder shall be produced, in whole or in part, using grapes grown by the permit holder and shall be manufactured by a farm winery.

(c) Any wine not consumed on the premises shall be disposed of by the permit holder or, prior to its removal from the property, securely resealed and placed in a tamper-proof, transparent bag which is sealed in a manner that makes it visibly apparent if the bag is subsequently opened.

(d) Permits issued under this section shall be valid for one year from the date of issuance.

(e) The annual fee for a vineyard permit shall be \$100.

(f) The secretary may adopt rules and regulations as necessary to implement the provisions of this section.

(g) This section shall be part of and supplemental to the Kansas liquor control act.

Sec. 26. K.S.A. 41-2643 is hereby amended to read as follows: 41-2643. (a) A caterer's license shall allow the licensee to offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises, which may be open to the public, but only if such premises are located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, the proposition to amend section 10 of article 15 of the constitution of the state of Kansas at the general election in November, 1986; or (B) have approved a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(b) A caterer shall be required to derive from sales of food at catered events not less than 30% of the caterer's gross receipts from all sales of food and beverages at catered events in a 12-month period unless the caterer offers for sale, sells and serves alcoholic liquor only in counties where the qualified electors of the county:

(1) Have approved, at an election pursuant to K.S.A. 41-2646, and amendments thereto, a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county without a requirement that any portion of their gross receipts be derived from the sale of food; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments

thereto.

(c) Each caterer shall maintain the caterer's principal place of business in a county in this state where the caterer is authorized by this section to sell alcoholic liquor by the individual drink in a public place. All records of the caterer relating to the caterer's licensed business and the caterer's license shall be kept at such place of business. The caterer's principal place of business shall be stated in the application for a caterer's license and the caterer shall notify the director of any change in its location within 10 days after such change.

~~(d) A caterer shall notify the director at least 10 days prior to any event at which the caterer will sell alcoholic liquor by the individual drink unless the director waives the 10-day requirement for good cause shown. In addition, prior to the event, the caterer shall notify:~~

~~(1) The police chief of the city where the event will take place, if the event will take place within the corporate limits of a city; or~~

~~(2) the county sheriff of the county where the event will take place, if the event will be outside the corporate limits of any city. Except as otherwise provided herein, a caterer shall provide electronic notification to the director at least 48 hours prior to any event at which the caterer will sell alcoholic liquor by the individual drink. The director shall make the electronic notification available to local law enforcement. Notice shall consist of the time, location and the names of the contracting parties of the event. For events where alcohol is served, a licensee shall retain all documents for a period of three years for inspection by the director. The documents retained shall include agreements, receipts, employees assigned to the event and records of alcohol purchased. Notification shall not be required for weddings, funerals, events sponsored by religious institutions, or for business, industry or trade sponsored meetings, including, but not limited to, awards presentations and retirement celebrations.~~

(e) A caterer may rebate a portion of the caterer's receipts from the sale of alcoholic liquor at an event to the person or organization contracting with the caterer to sell alcoholic liquor at such event.

Sec. 27. K.S.A. 2014 Supp. 41-710 is hereby amended to read as follows: 41-710. (a) No retailer's license shall be issued for premises unless such premises comply with all applicable zoning regulations.

(b) No microbrewery license, microdistillery license or farm winery license shall be issued for premises which are zoned for any purpose except agricultural, commercial or business purposes.

(c) No retailer's, microbrewery, microdistillery or farm winery license shall be issued for premises which:

(1) Are located within 200 feet of any public or parochial school or college or church, except that if any such school, college or church is established within 200 feet of any licensed premises after the premises have been licensed, the premises shall be an eligible location for retail licensing; or

(2) do not conform to all applicable building regulations.

(d) Any city, by ordinance, may allow a retailer, microbrewery, microdistillery or farm winery to be located within a core commercial district as defined by K.S.A. 2014 Supp. 12-17,122, and amendments thereto, which does not meet the distance requirements established by subsection (c)(1).

Sec. 28. K.S.A. 2014 Supp. 41-2645 is hereby amended to read as follows: 41-

2645. (a) A temporary permit shall allow the permit holder to offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises, which may be open to the public, subject to the terms of such permit.

(b) The director may issue a temporary permit to any one or more persons or organizations applying for such a permit, in accordance with rules and regulations of the secretary. The permit shall be issued in the names of the persons or organizations to which it is issued.

(c) Applications for temporary permits shall be required to be filed with the director not less than 14 days before the event for which the permit is sought unless the director waives such requirement for good cause. Each application shall state the purposes for which the proceeds of the event will be used. The application shall be upon a form prescribed and furnished by the director and shall be filed with the director in duplicate. Each application shall be accompanied by a permit fee of \$25 for each day for which the permit is issued, which fee shall be paid by a certified or cashier's check of a bank within this state, United States post office money order or cash in the full amount thereof. All permit fees collected by the director pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(d) Temporary permits shall specify the premises for which they are issued and shall be issued only for premises where the city, county or township zoning code allows use for which the permit is issued. No temporary permit shall be issued for premises which are not located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, to adopt the proposition amending section 10 of article 15 of the constitution of the state of Kansas at the general election in November, 1986; or (B) have approved a proposition to allow the sale of liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(e) (1) A temporary permit may be issued for the consumption of alcoholic liquor on a city, county or township street, alley, road, sidewalk or highway for a special event; provided, that such street, alley, road, sidewalk or highway is closed to motor vehicle traffic by the governing body of such city, county or township for such special event, a written request for such consumption and possession of such alcoholic liquor has been made to the local governing body and the special event is approved by the governing body of such city, county or township by ordinance or resolution. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(2) Drinking establishments that are immediately adjacent to, or located within the licensed premises of a special event, for which a temporary permit has been issued and the consumption of alcoholic liquor on public property has been approved, may request that the drinking establishment's licensed premises be extended into and made a part of the licensed premises of the special event for the duration of the temporary permit issued for such special event.

(3) Each licensee selling alcoholic liquor for consumption on the premises of a special event for which a temporary permit has been issued shall be liable for violations of all laws governing the sale and consumption of alcoholic liquor.

(4) For the purposes of this section, "special event" shall have the same meaning given that term in K.S.A. 41-719, and amendments thereto.

(f) (1) Except as otherwise provided in this subsection, a temporary permit shall be issued for a period of time not to exceed three consecutive days, the dates and hours of which shall be specified in the permit. Not more than four temporary permits may be issued to any one applicant in a calendar year.

(2)(A) On or before June 30, 2016, the director may issue one temporary permit, valid for the entire period of time of the Kansas state fair, which authorizes the sale of wine in its original, unopened container and the serving by the drink of only wine or beer, or both, on the state fairgrounds on premises specified in the temporary permit, by a person who has entered into an agreement with the state fair board for that purpose;

(B) On and after July 1, 2016, the director may issue a sufficient number of temporary permits as required by the state fair board, valid for the entire period of time of the Kansas state fair, which authorizes the sale of wine in its original, unopened container and the serving by the drink of wine or beer, or both, on the state fairgrounds on premises specified in the temporary permit, by a person who has entered into an agreement with the state fair board for that purpose subject to the conditions imposed by the state fair board. Nothing in this subsection (f)(2)(B) shall be construed to limit the number of temporary permits the director may issue for the sale of wine or beer, or both, on the state fairgrounds consistent with the requirements of the state fair board.

(3) The director may issue a temporary permit for a special event approved by the governing body of a city, county or township pursuant to subsection (e)(1), which may, at the director's discretion, be valid for the entire period of such special event, but in no event shall such permit be issued for a period of time that exceeds 30 consecutive days.

(g) All proceeds from an event for which a temporary permit is issued shall be used only for the purposes stated in the application for such permit.

(h) Upon written permission from the director and within three business days after the end of an event conducted pursuant to a temporary permit, the holder of a temporary permit may sell back to the licensee from whom alcoholic liquor was purchased any alcoholic liquor sold to the holder of the temporary permit for such event.

(i) A temporary permit shall not be transferable or assignable.

(j) The director may refuse to issue a temporary permit to any person or organization which has violated any provision of the Kansas liquor control act, the drinking establishment act or K.S.A. 79-41a01 et seq., and amendments thereto.

Sec. 29. K.S.A. 2014 Supp. 41-351 is hereby amended to read as follows: 41-351.

(a) Notwithstanding any other provisions of the Kansas liquor control act, the club and drinking establishment act or the Kansas cereal malt beverage act, any person who is licensed to sell wine pursuant to K.S.A. 41-308a, and amendments thereto, may apply to the director for an annual ~~bona fide~~ farmers' market sales permit. Such permit shall authorize the licensee, a member of the licensee's family or an employee of the licensee to sell wine in the original unopened container produced and bottled by the licensee at a ~~bona fide farmers' market located at a site approved by the director~~ markets.

(b) An application submitted pursuant to this section shall be accompanied by an application fee of \$25. Permits issued under this section shall be valid for one year from

the date of issuance. ~~A licensee shall not hold more than one bona fide farmers' market sales permit at any one time.~~

(c) ~~The licensee may only sell wine at a single bona fide farmers' market on one day of the week. The location locations of the bona fide farmers' market markets at which wine shall be sold shall be specified in the application submitted to the director. If the licensee elects to sell wine at a farmers' market, the location of which was not reported to the director in the application, such licensee shall notify the director of the location before any wine may be sold at that location. The director shall notify the city, county and applicable law enforcement agency where the bona fide farmers' market is markets are to be held and of the issuance of a permit under this section for the sale of wine at such bona fide farmers' market markets.~~

(d) ~~For the purposes of this section, "bona fide farmers' market" means any location held out to be a farmers' market that is subject to inspection by the department of agriculture common facility or area where producers or growers gather on a regular, recurring basis to sell fruits, vegetables, meats and other farm products directly to consumers.~~

(e) The secretary may adopt rules and regulations as necessary to implement the provisions of this section.

(f) This section shall be a part of and supplemental to the Kansas liquor control act.;

Also on page 28, in line 4, by striking "and" and inserting a comma; in line 5, after "2633a" by inserting "and 41-2643"; in line 6, after "41-328," by inserting "41-351, 41-710, "; also in line 6, by striking "and" and inserting a comma; also in line 6, after "41-2640" by inserting "and 41-2645";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the dispensing of"; in line 2, by striking the first "and" and inserting a comma; also in line 2, after "41-2633a" by inserting "and 41-2643"; in line 4, after "41-328," by inserting "41-351, 41-710, "; also in line 4, by striking the first "and" and inserting a comma; also in line 4, after "41-2640" by inserting "and 41-2645";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER  
JAKE LATURNER  
OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

STEVEN R. BRUNK  
TRAVIS COUTURE-LOVELADY  
ANNIE TIETZE  
*Conferees on part of House*

On motion of Rep. Brunk to adopt the conference committee report on **HB 2223**, Rep. Scapa offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The substitute motion did not prevail.

The question reverted back to the original motion of Rep. Brunk and the conference

committee report on **HB 2223** was adopted.

On roll call, the vote was: Yeas 90; Nays 30; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Anthimides, Ballard, Becker, Billinger, Boldra, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gallagher, Goico, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleebe, Kuether, Lane, Lunn, Lusk, Lusker, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Phillips, Proehl, Rooker, Ruiz, Ryckman, Sawyer, Schwab, Schwartz, Seiwert, Suellentrop, Swanson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: Barton, Campbell, DeGraaf, Francis, Garber, Gonzalez, Hedke, Houser, Hutchins, K. Jones, Kahrs, Kelley, Kiegerl, Lewis, Macheers, Mason, Mast, Pauls, Peck, Powell, Read, Rhoades, Rubin, Ryckman Sr., Scapa, Schroeder, Smith, Sutton, Thimesch, Whitmer.

Present but not voting: None.

Absent or not voting: Barker, Bollier, Edmonds, Sloan, Thompson.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2223**. I support and voted for the industry fixes and alcohol law changes as a member of the Federal and State Affairs committee that are in this bill. I also sponsored and supported the ban on powdered alcohol that is in this bill and I really want it, but there are also a lot of other bills that were inserted into this bill that I morally object to and unfortunately, for that reason, I cannot support the final bill.

— JOSEPH BRIAN SCAPA

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2352** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 6, in line 24, before "K.S.A" by inserting "On January 1, 2016,"; in line 33, by striking "individual or small group"; in line 34, before "health" by inserting "individual or group";

On page 12, following line 43, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 40-3118 is hereby amended to read as follows: 40-3118. (a) No motor vehicle shall be registered or reregistered in this state unless the owner, at the time of registration, has in effect a policy of motor vehicle liability insurance covering such motor vehicle, as provided in this act, or is a self-insurer thereof, or the motor vehicle is used as a driver training motor vehicle, as defined in K.S.A. 72-5015, and amendments thereto, in an approved driver training course by a school district or an accredited nonpublic school under an agreement with a motor vehicle dealer, and such policy of motor vehicle liability insurance is provided by the

school district or accredited nonpublic school. As used in this section, the term "financial security" means such policy or self-insurance. The director shall require that the owner certify and provide verification of financial security, in the manner prescribed by K.S.A. 8-173, and amendments thereto, that the owner has such financial security, and the owner of each motor vehicle registered in this state shall maintain financial security continuously throughout the period of registration. In addition, when an owner certifies that such financial security is a motor vehicle liability insurance policy meeting the requirements of this act, the director may require that the owner or owner's insurance company produce records to prove the fact that such insurance was in effect at the time the vehicle was registered and has been maintained continuously from that date. Such records may be produced by displaying such records on a cellular phone or any other type of portable electronic device. Any person to whom such records are displayed on such cellular phone or other type of portable electronic device shall be prohibited from viewing any other content or information stored on such cellular phone or other type of portable electronic device. Failure to produce such records shall be prima facie evidence that no financial security exists with regard to the vehicle concerned. It shall be the duty of insurance companies, upon the request of the director, to notify the director within 30 calendar days of the date of the receipt of such request by the director of any insurance that was not in effect on the date of registration and maintained continuously from that date.

(b) Except as otherwise provided in K.S.A. 40-276, 40-276a and 40-277, and amendments thereto, and except for termination of insurance resulting from nonpayment of premium or upon the request for cancellation by the insured, no motor vehicle liability insurance policy, or any renewal thereof, shall be terminated by cancellation or failure to renew by the insurer until at least 30 days after mailing a notice of termination, by certified or registered mail—~~or~~ United States post office certificate of mailing, or any other mail tracking method currently used, approved or accepted by the United States postal service to the named insured at the latest address filed with the insurer by or on behalf of the insured. Time of the effective date and hour of termination stated in the notice shall become the end of the policy period. Every such notice of termination sent to the insured for any cause whatsoever shall include on the face of the notice a statement that financial security for every motor vehicle covered by the policy is required to be maintained continuously throughout the registration period, that the operation of any such motor vehicle without maintaining continuous financial security therefor is a class B misdemeanor and shall be subject to a fine of not less than \$300 and not more than \$1,000 and that the registration for any such motor vehicle for which continuous financial security is not provided is subject to suspension and the driver's license of the owner thereof is subject to suspension.

(c) The director of vehicles shall verify a sufficient number of insurance certifications each calendar year as the director deems necessary to insure compliance with the provisions of this act. The owner or owner's insurance company shall verify the accuracy of any owner's certification upon request, as provided in subsection (a).

(d) (1) In addition to any other requirements of this act, the director shall require a person to acquire insurance and for such person's insurance company to maintain on file with the division evidence of such insurance for a period of one year when a person has been convicted in this or another state of any of the violations enumerated in K.S.A. 8-285, and amendments thereto.



(2) The director shall also require any driver whose driving privileges have been suspended pursuant to this section to maintain such evidence of insurance as required above.

(3) The company of the insured shall immediately mail notice to the director whenever any policy required by this subsection to be on file with the division is terminated by the insured or the insurer for any reason. The receipt by the director of such termination shall be prima facie evidence that no financial security exists with regard to the person concerned.

(4) No cancellation notice shall be sent to the director if the insured adds or deletes a vehicle, adds or deletes a driver, renews a policy or is issued a new policy by the same company. No cancellation notice shall be sent to the director prior to the date the policy is terminated if the company allows a grace period for payment until such grace period has expired and the policy is actually terminated.

(5) For the purposes of this act, the term "conviction" includes pleading guilty or nolo contendere, being convicted or being found guilty of any violation enumerated in this subsection without regard to whether sentence was suspended or probation granted. A forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

(6) The requirements of this subsection shall apply whether or not such person owns a motor vehicle.

(e) Whenever the director shall receive prima facie evidence, as prescribed by this section, that continuous financial security covering any motor vehicle registered in this state is not in effect, the director shall notify the owner by registered or certified mail or United States post office certificate of mailing that, at the end of 30 days after the notice is mailed, the registration for such motor vehicle and the driving privileges of the owner of the vehicle shall be suspended or revoked, pursuant to such rules and regulations as the secretary of revenue shall adopt, unless within 10 days after the notice is mailed: (1) Such owner shall demonstrate proof of continuous financial security covering such vehicle to the satisfaction of the director. Such proof of continuous financial security may be provided by the owner by displaying such proof on a cellular phone or other portable electronic device; or (2) such owner shall mail a written request which is postmarked within 10 days after the notice is mailed requesting a hearing with the director. Any person to whom such proof of continuous financial security is displayed on a cellular phone or other portable electronic device shall view only such evidence of continuous financial security. Such person shall be prohibited from viewing any other content or information stored on such cellular phone or other portable electronic device. Upon receipt of a timely request for a hearing, the director shall afford such person an opportunity for hearing within the time and in the manner provided in K.S.A. 8-255, and amendments thereto. If, within the ten-day period or at the hearing, such owner is unable to demonstrate proof of continuous financial security covering the motor vehicle in question, the director shall revoke the registration of such motor vehicle and suspend the driving privileges of the owner of the vehicle.

(f) Whenever the registration of a motor vehicle or the driving privileges of the owner of the vehicle are suspended or revoked for failure of the owner to maintain continuous financial security, such suspension or revocation shall remain in effect until satisfactory proof of insurance has been filed with the director as required by subsection (d) and a reinstatement fee in the amount herein prescribed is paid to the division of



vehicles. Such reinstatement fee shall be in the amount of \$100 except that if the registration of a motor vehicle of any owner is revoked within one year following a prior revocation of the registration of a motor vehicle of such owner under the provisions of this act such fee shall be in the amount of \$300. The division of vehicles shall remit such fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state highway fund.

(g) In no case shall any motor vehicle, the registration of which has been revoked for failure to have continuous financial security, be reregistered in the name of the owner thereof, the owner's spouse, parent or child or any member of the same household, until the owner complies with subsection (f). In the event the registration plate has expired, no new plate shall be issued until the motor vehicle owner complies with the reinstatement requirements as required by this act.

(h) Evidence that an owner of a motor vehicle, registered or required to be registered in this state, has operated or permitted such motor vehicle to be operated in this state without having in force and effect the financial security required by this act for such vehicle, together with proof of records of the division of vehicles indicating that the owner did not have such financial security, shall be prima facie evidence that the owner did at the time and place alleged, operate or permit such motor vehicle to be operated without having in full force and effect financial security required by the provisions of this act.

(i) Any owner of a motor vehicle registered or required to be registered in this state who shall make a false certification concerning financial security for the operation of such motor vehicle as required by this act, shall be guilty of a class A misdemeanor. Any person, firm or corporation giving false information to the director concerning another's financial security for the operation of a motor vehicle registered or required to be registered in this state, knowing or having reason to believe that such information is false, shall be guilty of a class A misdemeanor.

(j) The director shall administer and enforce the provisions of this act relating to the registration of motor vehicles, and the secretary of revenue shall adopt such rules and regulations as may be necessary for its administration.

(k) Whenever any person has made application for insurance coverage and such applicant has submitted payment or partial payment with such application, the insurance company, if payment accompanied the application and if insurance coverage is denied, shall refund the unearned portion of the payment to the applicant or agent. Such refund may:

- (1) Accompany the notice of denial of coverage; or
- (2) be separately returned in not more than 10 days from the date of such notice.

If payment did not accompany the application to the insurance company but was made to the agent, the agent shall refund the unearned portion of the payment to the applicant upon receipt of the company's notice of denial.

(l) For the purpose of this act, "declination of insurance coverage" means a final denial, in whole or in part, by an insurance company or agent of requested insurance coverage.

Sec. 3. K.S.A. 2014 Supp. 40-223 is hereby amended to read as follows: 40-223.  
(a) (1) Except as provided in K.S.A. 40-110 and 40-253, and amendments thereto, any

person who makes any examination under the provisions of this act may receive, as full compensation for such person's services, on a per diem basis an amount fixed by the commissioner, which shall not exceed the amount recommended by the national association of insurance commissioners, for such time necessarily and actually occupied in going to and returning from the place of such examination and for such time the examiner is necessarily and actually engaged in making such examination including any day within the regular workweek when the examiner would have been so engaged had the company or society been open for business, together with such necessary and actual expenses for traveling and subsistence as the examiner shall incur because of the performance of such services.

(2) For the purposes of this act, "necessary and actual expenses" shall be limited, whether for travel within the state or travel outside the state, to those limitations expressed in K.S.A. 75-3207, and amendments thereto, which pertain to official travel outside the state. The daily charge shall be calculated by dividing the amount the examiner is authorized by the commissioner of insurance to charge per week by the number of days in the regular workweek of the company or society being examined.

(b) (1) All of such compensation, expenses, the employer's share of the federal insurance contributions act taxes, the employer's contribution to the Kansas public employees retirement system as provided in K.S.A. 74-4920, and amendments thereto, the self-insurance assessment for the ~~workmen's~~ workers compensation act as provided in K.S.A. 44-576, and amendments thereto, the employer's cost of the state health care benefits program under K.S.A. 75-6507, and amendments thereto, a pro rata amount determined by the commissioner to provide vacation and sick leave for the examiner not to exceed the number of days allowed state officers and employees in the classified service pursuant to regulations promulgated in accordance with the Kansas civil service act, all outside consulting and data processing fees necessary to perform any examination, and a pro rata amount determined by the commissioner not to exceed an annual aggregate of \$18,000 to fund the purchase, maintenance and enhancement of examination equipment and computer software shall be paid to the commissioner of insurance by the insurance company or society so examined, on demand of the commissioner.

(2) The amount paid for all outside consulting and data processing fees necessary to perform any financial examination at any one company or society, including examination of such company's or society's subsidiaries or any combination thereof, and the pro rata amount to fund the purchase of examination equipment and computer software shall not collectively total more than:

(A) \$50,000 for any insurance company or society which has less than \$200,000,000 in gross premiums, both direct and assumed, in the preceding calendar year; or

(B) ~~\$100,000~~—\$500,000 for any insurance company or society which has \$200,000,000 or more in gross premiums, both direct and assumed, in the preceding calendar year.

(3) The amount paid for all outside consulting and data processing fees necessary to perform any market regulation examination at any one company or society, including examination of such company's or society's subsidiaries, or any combination thereof, and the pro rata amount to fund the purchase of examination equipment and computer software shall not collectively total more than \$25,000.

(c) Such demand shall be accompanied by the sworn statement of the person making such examination, setting forth in separate items the number of days necessarily and actually occupied in going to and returning from the place of such examination, the number of days the examiners were necessarily and actually engaged in making such examination including those days within the regular workweek while the examination was in progress and the company or society had closed for business, and the necessary and actual expenses for traveling and subsistence, incurred in and on account of such services.

(d) A duplicate of every such sworn statement shall be kept on file in the office of the commissioner of insurance. All moneys so paid to the commissioner of insurance shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the insurance company examination fund. The state treasurer shall issue duplicate receipts therefor, one to be delivered to the commissioner of insurance and the other to be filed with the director of accounts and reports.

Sec. 4. K.S.A. 40-2127 is hereby amended to read as follows: 40-2127. (a) Not later than July 1, 1993, and July 1 of each succeeding year, the board shall submit an audited financial report for the plan for the preceding calendar year to the commissioner in a form provided or prescribed by the commissioner.

(b) The financial status of the plan shall be subject to examination by the commissioner or the commissioner's designee. Such examination shall be conducted at least once every ~~three~~ five years ~~beginning January 1, 1995~~. The commissioner shall transmit a copy of the results of such examination to the legislature by February 1 of the year following the year in which the examination is conducted.

New Sec. 5. The following definitions shall apply to K.S.A. 40-246b through 40-246e, and amendments thereto, and section 7, and amendments thereto:

(a) "Exempt commercial purchaser" means any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(1) The person employs or retains a qualified risk manager to negotiate insurance coverage;

(2) the person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of \$100,000 in the immediately preceding 12 months; and

(3) the person:

(A) Possesses a net worth in excess of \$20,040,000, except that this amount shall be adjusted every five years by rules and regulations of the commissioner of insurance to account for the percentage change in the consumer price index;

(B) generates annual revenues in excess of \$55,100,000, except that this amount shall be adjusted every five years by rules and regulations of the commissioner of insurance to account for the percentage change in the consumer price index;

(C) employs more than 500 full-time or full-time-equivalent employees per insured entity or is a member of an affiliated group employing more than 1,000 employees in the aggregate;

(D) is a not-for-profit organization or public entity generating annual budgeted expenditures of at least \$33,060,000, except that this amount shall be adjusted every five years by rules and regulations of the commissioner of insurance to account for the

percentage change in the consumer price index; or

(E) is a municipality with a population in excess of 50,000 persons.

(b) "Home state" (1) In general, except as provided in subparagraph (2), the term "home state" means, with respect to an insured:

(A) The state in which an insured maintains its principal place of business or, in the case of an individual, the individual's principal residence; or

(B) if 100% of the insured risk is located out of the state referred to in paragraph (1)(A), the state to which the greatest percentage of the insured's taxable premium for that insurance contract is allocated.

(2) Affiliated groups. If more than one insured from an affiliated group are named insureds on a single non-admitted insurance contract, the term "home state" means the home state, as determined pursuant to paragraph (1), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.

(c) "Nonadmitted insurer" means an insurer that is not authorized or admitted to transact the business of insurance under the law of the home state, but does not include a risk retention group as that term is defined in 15 U.S.C. § 3901(a)(4), as in effect on July 1, 2015.

(d) "Principal place of business" means, with respect to determining the home state of the insured, the state where the insured maintains its headquarters and where the insured's high-level officers direct, control and coordinate the business activities of the insured.

(e) "Surplus lines insurance" means insurance procured by a surplus lines licensee from a surplus lines insurer as permitted under the law of the home state. "Surplus lines insurance" shall also mean excess lines insurance as may be defined by applicable state law.

(f) This section shall take effect on and after January 1, 2016.

Sec. 6. On January 1, 2016, K.S.A. 2014 Supp. 40-246c is hereby amended to read as follows: 40-246c. (a) On March 1 of each year, each licensed agent shall collect and pay to the commissioner a ~~sum-based tax of 6%~~ on the total gross premiums charged, less any return premiums, for surplus lines insurance ~~provided transacted~~ by the licensee pursuant to the license. ~~Where the insurance covers properties, risks or exposures located or to be performed both in and out of this state, the sum payable shall be computed based on:~~

~~(1) An amount equal to 6% of that portion of the gross premiums allocated to this state; plus~~

~~(2) an amount equal to the portion of the premiums allocated to other states or territories on the basis of the tax rates and fees applicable to properties, risks or exposures located or to be performed outside of this state; less~~

~~(3) the amount of gross premiums allocated to this state and returned to the insured for insureds whose home state is this state.~~

(b) The tax on any portion of the premium unearned at termination of insurance, if any, having been credited by the state to the licensee shall be returned to the policyholder directly by the surplus lines licensee or through the producing broker. The surplus lines licensee is prohibited from rebating any part of the tax for any reason. ~~To the extent that other states where portions of the properties, risks or exposures reside have failed to enter into a compact or reciprocal allocation procedure with this state, the~~

~~net premium tax collected shall be retained by this state.~~

(c) The individual responsible for filing the statement shall be the agent who signs the policy or the agent of record with the company. The commissioner of insurance shall collect double the amount of tax herein provided from any licensee or other responsible individual as herein described who shall fail, refuse or neglect to transmit the required affidavit or statement or shall fail to pay the tax imposed by this section, to the commissioner within the period specified.

New Sec. 7. (a) A surplus lines producer seeking to place non-admitted insurance for an exempt commercial purchaser is not required to file the signed statement under K.S.A. 40-246b, and amendments thereto, if the surplus lines producer has disclosed to the exempt commercial purchaser that such insurance may or may not be available from the admitted market that may provide greater protection with more regulatory oversight and the exempt commercial purchaser has subsequently requested in writing the surplus lines producer to procure or place such insurance from a nonadmitted insurer.

(b) This section shall take effect on and after January 1, 2016.

New Sec. 8. The commissioner of insurance may adopt such rules and regulations as are reasonable, necessary and incidental to the enforcement and administration of the provisions of K.S.A. 2014 Supp. 40-246b through 40-246e and section 7, and amendments thereto. Such rules and regulations shall be adopted no later than January 1, 2017.

(b) This section shall take effect on and after January 1, 2016.

Sec. 9. K.S.A. 40-2127 and K.S.A. 2014 Supp. 40-223 and 40-3118 are hereby repealed.";

On page 13, in line 1, before "K.S.A." by inserting "On January 1, 2016,"; also in line 1, after "Supp." by inserting "40-246c,"; also in line 1, by striking "is" and inserting ", 40-5701, 40-5702 and 40-5703 are"; in line 3, by striking "January 1, 2016, and";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "motor vehicle liability insurance, mailing notice of termination of coverage; certain financial examinations, consulting fees, examination period; surplus lines insurance, gross premiums and tax thereon"; also in line 4, after "K.S.A." by inserting "40-2127 and K.S.A."; also in line 4, after "Supp." by inserting "40-223, 40-246c,"; also in line 4, after "40-2,194" by inserting "and 40-3118"; in line 5, by striking "section" and inserting "sections; also repealing K.S.A. 2014 Supp. 40-5701, 40-5702 and 40-5703";

And your committee on conference recommends the adoption of this report.

JEFF LONGBINE  
ELAINE BOWERS  
TOM HAWK

*Conferees on part of Senate*

SCOTT SCHWAB  
ROB BRUCHMAN  
RODERICK A. HOUSTON

*Conferees on part of House*

On motion of Rep. Schwab, the conference committee report on **HB 2352** was adopted.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Peck.

Present but not voting: None.

Absent or not voting: Barker, Bollier, Edmonds, Sloan, Thompson.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2228**.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2353** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 270**, requests a conference and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 270**.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 113** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

JOHN E. BARKER

CHARLES MACHEERS

*Conferees on part of House*

JEFF KING

GREG SMITH

DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. Macheers the conference committee report on **SB 113** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Pauls, Macheers and Ward as fourth conferees on the part of the House.

**REPORT ON ENROLLED BILLS**

**HB 2003, HB 2025, HB 2055, HB 2104, S Sub for HB 2124, Sub HB 2224, HB 2364** reported correctly enrolled, properly signed and presented to the Governor on May 29, 2015.

On motion of Rep. Vickrey, the House adjourned until 1:00 p.m., Saturday, May 30, 2015.

# Journal of the House

## SEVENTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Saturday, May 30, 2015, 1:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 113 members present.

Reps. Barker, Davis, Edmonds, Ewy, Henderson, Kahrs, Ousley, Read, Schroeder, Schwab, Sutton and Thompson were excused on excused absence by the Speaker.

Present later: Reps. Kahrs, Ousley and Sutton.

Prayer by Chaplain Brubaker:

Lord God Almighty,  
I stand before you today,  
grateful for all You have done for us  
and deeply indebted for all You have given us.  
Our leaders need a huge break, God.  
It seems when things are about to break through,  
something else comes up  
that prevents them from moving forward.  
I know You can do all things.  
Help our leaders to put aside all their differences—  
partisan politics, media interpretations,  
requests and demands from lobbyists,  
even their own selfish ideas and desires.  
Help each one to place their trust and faith in You  
to lead them through this difficulty.  
They don't need a lot of faith—  
in fact, just mustard seed size faith can move mountains.  
With this faith in You today,  
I ask that You move this mountain.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hildabrand.

### COMMUNICATIONS FROM STATE OFFICERS

From Ed Eilert, Chairman, Johnson County Education Research Triangle Authority, in accordance with the requirements of K.S.A. 19-5005(e), Annual Report concerning the financial activities of the Authority: reports of The Authority's Financial Statements; Audit of Authority Funds; The Authority's Agreed-Upon Procedures Report; and The Authority's required communication/management letter.



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

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 113**, and has appointed Senators King, Smith and Haley as fourth conferees on the part of the Senate.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Brunk, the House concurred in Senate amendments to **S Sub for HB 2228**, AN ACT concerning abortion; relating to the administration of abortifacient drugs; amending K.S.A. 2014 Supp. 65-4a10 and repealing the existing section.

On roll call, the vote was: Yeas 109; Nays 2; Present but not voting: 1; Absent or not voting: 13.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: Bridges, Kuether.

Present but not voting: D. Jones.

Absent or not voting: Barker, Davis, Edmonds, Ewy, Henderson, Kahrs, Ousley, Read, Schroeder, Schwab, Schwartz, Sutton, Thompson.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted: Recommended that committee report to **HR 6026** be adopted; and the resolution be adopted as amended.

On motion of Rep. Vickrey, the House recessed until 4:00 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report to agree to disagree on **HB 2331**, and has appointed Senators Ostmeyer, LaTurner and Faust-Goudeau as second conferees on the part of the Senate.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2331** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

JAKE LATURNER

OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

STEVEN R. BRUNK

TRAVIS COUTURE-LOVELADY

ANNIE TIETZE

*Conferees on part of House*

On motion of Rep. Brunk to adopt the conference committee report on **HB 2331** to agree to disagree, roll call was demanded.

On roll call, the vote was: Yeas 81; Nays 27; Present but not voting: 0; Absent or not voting: 17.

Yeas: Alford, Anthimides, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, W. Carpenter, Claeys, Clark, Concannon, Corbet, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Lewis, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Williams.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Frownfelter, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Barker, Campbell, B. Carpenter, Davis, Edmonds, Ewy, Grosserode, Henderson, Huebert, Kleeb, Read, Schroeder, Schwab, Suellentrop, Thompson, Whipple, Whitmer.

The motion to adopt the conference committee report to agree to disagree prevailed.

Speaker pro tem Mast thereupon appointed Reps. Brunk, Couture-Lovelady and Tietze as second conferees on the part of the House.

**REPORT ON ENGROSSED BILLS**

**HB 2352** reported correctly engrossed May 30, 2015.

**HB 2223** reported correctly re-engrossed May 30, 2015.

On motion of Rep. Vickrey, the House adjourned until 1:00 p.m., Sunday, May 31, 2015.

# Journal of the House

## SEVENTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Sunday, May 31, 2015, 1:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 113 members present.

Reps. Barker, Bridges, Campbell, Edmonds, Henderson, Henry, Houston, Kahrs, Read, Schroeder, Thompson and Whipple were excused on excused absence by the Speaker.

Present later: Reps. Henderson, Henry and Read.

Prayer by Chaplain Brubaker:

Lord of the Sabbath,  
As we come together on this Lord's Day,  
we thank You for your faithful guidance.  
I pray Your Scripture for our leaders  
as they continue to work through the complexities  
of the issues before them.  
"Find rest, O my soul, in God alone;  
My hope comes from him.  
He alone is my rock and my salvation;  
He is my fortress, I will not be shaken.  
Trust in him at all times...  
pour out your hearts to him  
for God is our refuge –  
an ever present help in times of trouble.  
In repentance and rest is our salvation,  
in quietness and trust is our strength."  
Please give these leaders  
hope, trust, refuge, help,  
wisdom, direction, quietness and rest.  
I pray this in Your Holy Name,  
Amen.

The Pledge of Allegiance was led by Rep. Estes.

### PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Merrick are spread upon the Journal:

Today is Wade Haggood's last day as my Chief of Staff. He's been with me since I was Majority Leader. There have been many early mornings and late nights. He is usually the first in and the last out. Being Chief of Staff is not easy, but Wade has done a great job. Through it all, he's kept a level head and a great sense of humor. I want to wish him the best on his new job and continued success in the future.

You're fired.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2183**.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HR 6026**, A RESOLUTION urging the United States Congress to enact and the President of the United States to sign 2015 Senate Bill S. 901, the Toxic Exposure Research Act of 2015, into law, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 2; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcala, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lusk, Lusker, Macheers, Mason, Mast, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: McPherson, Sutton.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Campbell, Edmonds, Henderson, Henry, Houston, Kahrs, Lunn, Moxley, Read, Schroeder, Thompson, Whipple.

The resolution was adopted, as amended.

#### COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Burroughs to replace Rep. Whipple and Rep. Wilson to replace Rep. Bridges on Committee on Taxation for May 31 only.

On motion of Rep. Vickrey, the House recessed until 4:00 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2183**.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 113** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in line 1; following line 1, by inserting:

"New Section 1. (a) A victim of the conduct of another that would constitute conduct prohibited by K.S.A. 2014 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking, or K.S.A. 2014 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child, may bring an action in an appropriate state court against the person or persons who engaged in such conduct if the victim suffered personal or psychological injury as a result of the conduct. Such victim may seek actual damages, exemplary or punitive damages, injunctive relief and any other appropriate relief.

(b) In an action under this section, the court shall award a prevailing plaintiff the cost of the suit, including reasonable attorney fees. A victim who is awarded damages under this section shall be deemed to have sustained damages of at least \$150,000.

(c) Notwithstanding any other provision of law, any action commenced under this section shall be filed within 10 years after the later of the date on which the victim:

(1) Was freed from the human trafficking situation; or

(2) attained 18 years of age.

(d) At the victim's request, the attorney general may pursue cases on behalf of any Kansas victim under this section. All damages obtained shall go to the victim, and the attorney general may seek reasonable attorney fees and costs.

(e) Any action brought under this section shall be subject to the provisions of K.S.A. 74-7312, and amendments thereto.

(f) This section does not preclude any other remedy available to the victim under federal law or law of this state.

Sec. 2. K.S.A. 2014 Supp. 21-5501 is hereby amended to read as follows: 21-5501. The following definitions shall apply when the words and phrases defined are used in article 55 of chapter 21 of the Kansas Statutes Annotated, and K.S.A. 2014 Supp. 21-6419 through ~~21-6424~~ 21-6422, and amendments thereto, except when a particular context clearly requires a different meaning:

(a) "Sexual intercourse" means any penetration of the female sex organ by a finger, the male sex organ or any object. Any penetration, however slight, is sufficient to constitute sexual intercourse. "Sexual intercourse" does not include penetration of the female sex organ by a finger or object in the course of the performance of:

(1) Generally recognized health care practices; or

(2) a body cavity search conducted in accordance with K.S.A. 22-2520 through 22-

2524, and amendments thereto.

(b) "Sodomy" means oral contact or oral penetration of the female genitalia or oral contact of the male genitalia; anal penetration, however slight, of a male or female by any body part or object; or oral or anal copulation or sexual intercourse between a person and an animal. "Sodomy" does not include penetration of the anal opening by a finger or object in the course of the performance of:

- (1) Generally recognized health care practices; or
- (2) a body cavity search conducted in accordance with K.S.A. 22-2520 through 22-2524, and amendments thereto.

(c) "Spouse" means a lawful husband or wife, unless the couple is living apart in separate residences or either spouse has filed an action for annulment, separate maintenance or divorce or for relief under the protection from abuse act.

(d) "Unlawful sexual act" means any rape, indecent liberties with a child, aggravated indecent liberties with a child, criminal sodomy, aggravated criminal sodomy, lewd and lascivious behavior, sexual battery or aggravated sexual battery, as defined in this code.

Sec. 3. K.S.A. 2014 Supp. 21-6328 is hereby amended to read as follows: 21-6328. As used in the Kansas racketeer influenced and corrupt organization act:

(a) "Beneficial interest" means:

- (1) The interest of a person as a beneficiary under any trust arrangement pursuant to which a trustee holds legal or record title to real property for the benefit of such person; or
- (2) the interest of a person under any other form of express fiduciary arrangement pursuant to which any other person holds legal or record title to real property for the benefit of such person.

The term "beneficial interest" does not include the interest of a stock holder in a corporation or the interest of a partner in either a general partnership or a limited partnership. A beneficial interest shall be deemed to be located where the real property owned by the trustee is located.

(b) "Covered person" means any person who:

(1) Is a criminal street gang member or criminal street gang associate, as defined in K.S.A. 2014 Supp. 21-6313, and amendments thereto;

(2) has engaged in or is engaging in any conduct prohibited by K.S.A. 2014 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking, or K.S.A. 2014 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child; or

(3) has engaged in or is engaging in any conduct prohibited by K.S.A. 2014 Supp. 21-5703, and amendments thereto, unlawful manufacturing of controlled substances, or K.S.A. 2014 Supp. 21-5705, and amendments thereto, unlawful cultivation or distribution of controlled substances.

(c) "Documentary material" means any book, paper, document, writing, drawing, graph, chart, photograph, phonorecord, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

(d) "Enterprise" means any individual, sole proprietorship, partnership, corporation, business trust, union chartered under the laws of this state, or other legal entity, or any unchartered union, association, or group of individuals associated in fact although not a

legal entity; and it includes illicit as well as licit enterprises and governmental, as well as other, entities. A criminal street gang, as defined in K.S.A. 2014 Supp. 21-6313, and amendments thereto, constitutes an enterprise.

(e) "Pattern of racketeering activity" means engaging in at least two incidents of racketeering activity that have the same or similar intents, results, accomplices, victims or methods of commission or that otherwise are interrelated by distinguishing characteristics and are not isolated incidents, provided at least one of such incidents occurred after the effective date of this act and that the last of such incidents occurred within 5 years, excluding any period of imprisonment, after a prior incident of racketeering activity.

(f) "Racketeering activity" means to commit, attempt to commit, conspire to commit or to solicit, coerce or intimidate another person to commit:

(1) Any felony or misdemeanor violation of: The felony provisions of K.S.A. 8-1568, and amendments thereto, fleeing or attempting to elude a police officer; K.S.A. 9-508 et seq., and amendments thereto, Kansas money transmitter act; article 12a of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, Kansas uniform securities act; K.S.A. 2014 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 2014 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 2014 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 2014 Supp. 21-5408, and amendments thereto, kidnapping or aggravated kidnapping; K.S.A. 2014 Supp. 21-5412, and amendments thereto; K.S.A. 2014 Supp. 21-5413, and amendments thereto; K.S.A. 2014 Supp. 21-5414, and amendments thereto, domestic battery; K.S.A. 2014 Supp. 21-5415, and amendments thereto, criminal threat or aggravated criminal threat; K.S.A. 2014 Supp. 21-5420, and amendments thereto, robbery or aggravated robbery; K.S.A. 2014 Supp. 21-5421, and amendments thereto, terrorism; K.S.A. 2014 Supp. 21-5422, and amendments thereto, illegal use of weapons of mass destruction; K.S.A. 2014 Supp. 21-5423, and amendments thereto; K.S.A. 2014 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking; K.S.A. 2014 Supp. 21-5428, and amendments thereto, blackmail; K.S.A. 2014 Supp. 21-5510, and amendments thereto, sexual exploitation of a child; K.S.A. 2014 Supp. 21-5601, and amendments thereto, endangering a child or aggravated endangering a child; K.S.A. 2014 Supp. 21-5602, and amendments thereto, abuse of a child; K.S.A. 2014 Supp. 21-5603, and amendments thereto, contributing to a child's misconduct or deprivation; ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5607(b), and amendments thereto, furnishing alcoholic beverages to a minor for illicit purposes; article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, crimes involving controlled substances; K.S.A. 2014 Supp. 21-5801, and amendments thereto, theft; K.S.A. 2014 Supp. 21-5803, and amendments thereto, criminal deprivation of property; K.S.A. 2014 Supp. 21-5805, and amendments thereto; K.S.A. 2014 Supp. 21-5807, and amendments thereto, burglary or aggravated burglary; K.S.A. 2014 Supp. 21-5812, and amendments thereto, arson or aggravated arson; K.S.A. 2014 Supp. 21-5813, and amendments thereto, criminal damage to property; K.S.A. 2014 Supp. 21-5814, and amendments thereto, criminal use of an explosive; K.S.A. 2014 Supp. 21-5818, and amendments thereto, tampering with a pipeline; K.S.A. 2014 Supp. 21-5821, and amendments thereto, giving a worthless check; K.S.A. 2014 Supp. 21-5823, and amendments thereto, forgery; K.S.A. 2014 Supp. 21-5824, and amendments thereto, making false information; K.S.A. 2014 Supp. 21-5825, and amendments



thereto, counterfeiting; K.S.A. 2014 Supp. 21-5826, and amendments thereto, destroying written instrument; K.S.A. 2014 Supp. 21-5828, and amendments thereto, criminal use of a financial card; K.S.A. 2014 Supp. 21-5838, and amendments thereto, conducting a pyramid promotional scheme; K.S.A. 2014 Supp. 21-5839, and amendments thereto; K.S.A. 2014 Supp. 21-5903, and amendments thereto, perjury; K.S.A. 2014 Supp. 21-5904, and amendments thereto, interference with law enforcement; K.S.A. 2014 Supp. 21-5905, and amendments thereto, interference with the judicial process; K.S.A. 2014 Supp. 21-5909, and amendments thereto, intimidation of a witness or victim or aggravated intimidation of a witness or victim; K.S.A. 2014 Supp. 21-5912, and amendments thereto, aiding escape; K.S.A. 2014 Supp. 21-5913, and amendments thereto, obstructing apprehension or prosecution; K.S.A. 2014 Supp. 21-5918, and amendments thereto; K.S.A. 2014 Supp. 21-6001, and amendments thereto, bribery; K.S.A. 2014 Supp. 21-6002, and amendments thereto, official misconduct; K.S.A. 2014 Supp. 21-6301, and amendments thereto, criminal use of weapons; K.S.A. 2014 Supp. 21-6302, and amendments thereto, criminal carrying of a weapon; K.S.A. 2014 Supp. 21-6303, and amendments thereto, criminal distribution of firearms to a felon; K.S.A. 2014 Supp. 21-6304, and amendments thereto, criminal possession of a firearm by a convicted felon; K.S.A. 2014 Supp. 21-6305, and amendments thereto, aggravated weapons violation by a convicted felon; K.S.A. 2014 Supp. 21-6306, and amendments thereto, defacing identification marks of a firearm; K.S.A. 2014 Supp. 21-6308, and amendments thereto, criminal discharge of a firearm; K.S.A. 2014 Supp. 21-6310, and amendments thereto, unlawful endangerment; K.S.A. 2014 Supp. 21-6312, and amendments thereto; K.S.A. 2014 Supp. ~~21-6313 through 21-6316~~ 21-6314 and 21-6315, and amendments thereto; K.S.A. 2014 Supp. 21-6401, and amendments thereto, promoting obscenity or promoting obscenity to minors; K.S.A. 2014 Supp. 21-6404, and amendments thereto, gambling; K.S.A. 2014 Supp. 21-6405, and amendments thereto, illegal bingo operation; K.S.A. 2014 Supp. 21-6406, and amendments thereto, commercial gambling; K.S.A. 2014 Supp. 21-6407, and amendments thereto, dealing in gambling devices; K.S.A. 2014 Supp. 21-6408, and amendments thereto; K.S.A. 2014 Supp. 21-6409, and amendments thereto, installing communication facilities for gamblers; ~~subsections (a) or (b) of~~ K.S.A. 2014 Supp. 21-6414(a) or (b), and amendments thereto, unlawful conduct of dog fighting or unlawful possession of dog fighting paraphernalia; ~~subsections (a) or (b) of~~ K.S.A. 2014 Supp. 21-6417(a) or (b), and amendments thereto, unlawful conduct of cockfighting or unlawful possession of cockfighting paraphernalia; K.S.A. 2014 Supp. 21-6419, and amendments thereto, selling sexual relations; K.S.A. 2014 Supp. 21-6420, and amendments thereto, promoting the sale of sexual relations; K.S.A. 2014 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child; K.S.A. 2014 Supp. 21-6501, and amendments thereto, extortion; K.S.A. 2014 Supp. 21-6502, and amendments thereto, debt adjusting; K.S.A. 2014 Supp. 21-6504, and amendments thereto, equity skimming; K.S.A. 2014 Supp. 21-6506, and amendments thereto, commercial bribery; K.S.A. 2014 Supp. 21-6507, and amendments thereto, sports bribery; K.S.A. 2014 Supp. 21-6508, and amendments thereto, tampering with a sports contest; K.S.A. 39-720, and amendments thereto, social welfare service fraud; K.S.A. 40-2,118, and amendments thereto, fraudulent insurance acts; K.S.A. 41-101 et seq., and amendments thereto, Kansas liquor control act; K.S.A. 44-5,125, and amendments thereto, workers' compensation act; K.S.A. 65-1657, and amendments thereto,

nonresident pharmacy registration; K.S.A. 65-3441, and amendments thereto, hazardous waste; K.S.A. 65-4167, and amendments thereto, trafficking in counterfeit drugs; article 88 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, Kansas parimutuel racing act; or K.S.A. 79-3321, and amendments thereto, Kansas cigarette and tobacco products act; or

(2) any conduct defined as "racketeering activity" under 18 U.S.C. § 1961(1).

(g) "Real property" means any real property or any interest in such real property, including, but not limited to, any lease of or mortgage upon such real property.

(h) "Trustee" means:

(1) Any person acting as trustee pursuant to a trust in which the trustee holds legal or record title to real property;

(2) any person who holds legal or record title to real property in which any other person has a beneficial interest; or

(3) any successor trustee or trustees to any or all of the foregoing persons.

The term "trustee" does not include any person appointed or acting as a personal representative as defined in K.S.A. 59-102, and amendments thereto, or appointed or acting as a trustee of any testamentary trust or as a trustee of any indenture of trust under which any bonds have been or are to be issued.

(i) "Unlawful debt" means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part because the debt was incurred or contracted:

(1) In violation of any of the following provisions of law: Article 88 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, Kansas parimutuel racing act; K.S.A. 2014 Supp. 21-6404, and amendments thereto, gambling; K.S.A. 2014 Supp. 21-6405, and amendments thereto, illegal bingo operation; K.S.A. 2014 Supp. 21-6406, and amendments thereto, commercial gambling; K.S.A. 2014 Supp. 21-6407, and amendments thereto, dealing in gambling devices; K.S.A. 2014 Supp. 21-6408, and amendments thereto, unlawful possession of a gambling device; or K.S.A. 2014 Supp. 21-6409, and amendments thereto, installing communication facilities for gamblers; or

(2) in gambling activity in violation of federal law or in the business of lending money at a rate usurious under state or federal law.

Sec. 4. K.S.A. 2014 Supp. 22-3424 is hereby amended to read as follows: 22-3424.

(a) The judgment shall be rendered and sentence imposed in open court.

(b) If the verdict or finding is not guilty, judgment shall be rendered immediately and the defendant shall be discharged from custody and the obligation of the defendant's appearance bond.

(c) If the verdict or finding is guilty, judgment shall be rendered and sentence pronounced without unreasonable delay, allowing adequate time for the filing and disposition of post-trial motions and for completion of such presentence investigation as the court may require.

(d) (1) If the verdict or finding is guilty, upon request of the victim or the victim's family and before imposing sentence, the court shall hold a hearing to establish restitution. The defendant may waive the right to the hearing and accept the amount of restitution as established by the court. If the court orders restitution to be paid to the victim or the victim's family, the order shall be enforced as a judgment of restitution pursuant to K.S.A. 60-4301 through 60-4304, and amendments thereto.

(2) (A) The court shall order a person convicted of human trafficking or aggravated

human trafficking, K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, K.S.A. 2014 Supp. 21-6422, and amendments thereto, to pay restitution to the victim of the offense for:

(i) Expenses incurred or reasonably certain to be incurred by the victim as a result of the offense, including reasonable attorney fees and costs; and

(ii) an amount equal to three times the greatest of the following, with no reduction for expenses the defendant incurred to maintain the victim:

(a) The gross income to the defendant for, or the value to the defendant of, the victim's labor or services or sexual activity;

(b) the amount the defendant contracted to pay the victim; or

(c) the value of the victim's labor or services or sexual activity, calculated under the minimum wage and overtime provisions of the federal fair labor standards act, 29 U.S.C. § 201 et seq., or under K.S.A. 44-1203, and amendments thereto, whichever is higher, even if the provisions do not apply to the victim's labor or services or sexual activity.

(B) The court shall order restitution under subsection (d)(2) even if the victim is unavailable to accept payment of restitution.

(C) If the victim does not claim restitution ordered under subsection (d)(2) for five years after entry of the order, the restitution must be paid to the human trafficking victim assistance fund created by K.S.A. 2014 Supp. 75-758, and amendments thereto, to help victims.

(e) Before imposing sentence the court shall: (1) Allow the prosecuting attorney to address the court, if the prosecuting attorney so requests; (2) afford counsel an opportunity to speak on behalf of the defendant; (3) allow the victim or such members of the victim's family as the court deems appropriate to address the court, if the victim or the victim's family so requests; and (4) address the defendant personally and ask the defendant if the defendant wishes to make a statement on the defendant's own behalf and to present any evidence in mitigation of punishment.

(f) After imposing sentence in a case which has gone to trial on a plea of not guilty, the court shall advise the defendant of the defendant's right to appeal and of the right of a person who is unable to pay the costs of an appeal to appeal in forma pauperis.

Sec. 5. K.S.A. 2014 Supp. 22-3436 is hereby amended to read as follows: 22-3436. This section applies if a defendant is charged with a crime pursuant to articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto;.

(a) The prosecuting attorney, as defined in K.S.A. 22-2202, and amendments thereto, shall: (1) Inform the victim or the victim's family before any dismissal or declining of prosecuting charges; (2) inform the victim or the victim's family of the nature of any proposed plea agreement; and (3) inform and give notice to the victim or the victim's family of the rights established in subsection (b);.

(b) The victim of a crime or the victim's family have the right to be present at any hearing where a plea agreement is reviewed or accepted and the parties may submit written arguments to the court prior to the date of the hearing.

Sec. 6. K.S.A. 2014 Supp. 22-3701 is hereby amended to read as follows: 22-3701. ~~(4)~~ (a) The governor may pardon, or commute the sentence of, any person convicted of a crime in any court of this state upon such terms and conditions as prescribed in the

order granting the pardon or commutation.

~~(2)-(b)~~ The prisoner review board, hereafter referred to as the board, shall adopt rules and regulations governing the procedure for initiating, processing, and reviewing applications for pardon, or commutation of sentence filed by and on behalf of persons convicted of crime.

~~(3)-(c)~~ Except as otherwise provided, no pardon or commutation of sentence shall be granted until more than 30 days after written notice of the application therefor has been given to: ~~(a)-(1)~~ The prosecuting attorney and the judge of the court in which the defendant was convicted; and ~~(b)-(2)~~ any victim of the person's crime or the victim's family, if the person was convicted of a crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto. Notice of such application for pardon or commutation of sentence shall be given by the secretary of corrections to the victim who is alive and whose address is known to the secretary of corrections, or if the victim is deceased, to the victim's family if the family's address is known to the secretary of corrections. Notice of the receipt of such application shall be given by publication in the official county paper of the county of conviction. The form of notice shall be prescribed by the board. If the applicant executes a poverty affidavit, the cost of one publication of the notice during a ~~twelve-month~~ 12-month period shall be paid by the state. If more than one notice of application is published during any ~~twelve-month~~ 12-month period the additional cost of publication shall be paid by the applicant. Subject to the provisions of subsection ~~(4)-(d)~~, if written notification is not given to such victim who is alive and whose address is known to the secretary of corrections or, if the victim is deceased, to the victim's family if the family's address is known to the secretary of corrections, the governor shall not grant or deny such application until a time at least 30 days after notification is given by publication as provided in this section.

~~(4)-(d)~~ All applications for pardon or commutation of sentence shall be referred to the board. The board shall examine each case and submit a report, together with such information as the board may have concerning the applicant, to the governor within 120 days after referral to the board. The governor shall not grant or deny any such application until the governor has received the report of the board or until 120 days after the referral to the board, whichever time is the shorter and the provisions of subsection ~~(3)-(c)~~ have been satisfied.

Sec. 7. K.S.A. 2014 Supp. 22-3727 is hereby amended to read as follows: 22-3727. (a) Prior to the release of any inmate on parole, conditional release, expiration of sentence or postrelease supervision, if an inmate is released into the community under a program under the supervision of the secretary of corrections, or after the escape of an inmate or death of an inmate while in the secretary of corrections' custody, the secretary of corrections shall give written notice of such release, escape or death to any victim of the inmate's crime who is alive and whose address is known to the secretary or, if the victim is deceased, to the victim's family if the family's address is known to the secretary. Such notice shall be required to be given to the victim or the victim's family only if the inmate was convicted of any crime in article 33, 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 53, 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325,

21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto. Except for notifications of releases due to a court order, escape or death, notification shall be given at least 14 working days prior to the release of such inmate. Failure to notify the victim or the victim's family as provided in this section shall not be a reason for postponement of parole, conditional release or other forms of release.

(b) As used in this section, "victim's family" means a spouse, surviving spouse, children, parents, legal guardian, siblings, ~~stepparent~~ stepparents or grandparents.

Sec. 8. K.S.A. 2014 Supp. 22-3727a is hereby amended to read as follows: 22-3727a. (a) The county or district attorney shall, as soon as practicable, provide notification as provided in K.S.A. 22-3303, 22-3305, 22-3428, 22-3428a, 22-3430 and 22-3431, and amendments thereto, and upon the escape or death of a committed defendant while in the custody of the secretary for aging and disability services, to any victim of the defendant's crime whose address is known to the county or district attorney, and the victim's family, if so requested and the family's addresses are known to the county or district attorney. Such notice shall be required to be given only if the defendant was charged with any crime in article 33, 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 53, 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto.

(b) As used in this section, "victim's family" means a spouse, surviving spouse, children, parents, legal guardian, siblings, ~~stepparent~~ stepparents or grandparents.

Sec. 9. K.S.A. 2014 Supp. 22-4614 is hereby amended to read as follows: 22-4614. No law enforcement officer, government official or prosecutor shall request or require any person who is alleged to be a victim of an offense described in article 55 of chapter 21 of the Kansas Statutes Annotated; or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, human trafficking or aggravated human trafficking as defined in K.S.A. 2014 Supp. 21-5426, and amendments thereto, or incest as defined in subsection (a) of K.S.A. 2014 Supp. 21-5604, and amendments thereto, or aggravated incest as defined in subsection (a)(2) of subsection (b)(2) of K.S.A. 2014 Supp. 21-5604, and amendments thereto, to submit to a polygraph examination or similar truth telling device as a condition for proceeding with an investigation, or charging or prosecuting such an offense.

Sec. 10. K.S.A. 2014 Supp. 23-2225 is hereby amended to read as follows: 23-2225. (a) Except as provided in subsection (d), a parent granted rights pursuant to ~~subsection (d) of K.S.A. 2014 Supp. 23-2215(d)~~, and amendments thereto, shall give written notice to the other parent who has been granted rights pursuant to ~~subsection (d) of K.S.A. 2014 Supp. 23-2215(d)~~, and amendments thereto, not less than 30 days prior to: (1) Changing the residence of the child; or (2) removing the child from this state for a period of time exceeding 90 days. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) A change of the residence or the removal of a child from this state as described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of child support, custody or parenting time. In determining

any such motion, the court shall consider all factors the court deems appropriate including, but not limited to:

- (1) The effect of the move on the best interests of the child;
- (2) the effect of the move on any party having rights granted pursuant to ~~subsection (d) of~~ K.S.A. 2014 Supp. 23-2215(d), and amendments thereto; and
- (3) the increased cost the move will impose on any party seeking to exercise rights granted under ~~subsection (d) of~~ K.S.A. 2014 Supp. 23-2215(d), and amendments thereto.

(d) A parent who has been granted rights pursuant to ~~subsection (d) of~~ K.S.A. 2014 Supp. 23-2215(d), and amendments thereto, shall not be required to give the notice required by this section to the other parent when the other parent has been convicted of any crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto, in which the child is the victim of such crime.

(e) This section shall be part of and supplemental to the Kansas parentage act.

Sec. 11. K.S.A. 2014 Supp. 23-3222 is hereby amended to read as follows: 23-3222. (a) Except as provided in subsection (d), a parent entitled to legal custody or residency of or parenting time with a child under this article shall give written notice to the other parent not less than 30 days prior to: (1) Changing the residence of the child; or (2) removing the child from this state for a period of time exceeding 90 days. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) A change of the residence or the removal of a child as described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, child support or parenting time. In determining any motion seeking a modification of a prior order based on change of residence or removal as described in (a), the court shall consider all factors the court deems appropriate including, but not limited to: (1) The effect of the move on the best interests of the child; (2) the effect of the move on any party having rights granted under this article; and (3) the increased cost the move will impose on any party seeking to exercise rights granted under this article.

(d) A parent entitled to the legal custody or residency of a child under this article shall not be required to give the notice required by this section to the other parent when the other parent has been convicted of any crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2014 Supp. 21-5401 through 21-5609, 21-6104, 21-6325, 21-6326; or 21-6419, 21-6420 or 21-6421 through 21-6422, and amendments thereto, in which the child is the victim of such crime.

Sec. 12. K.S.A. 2014 Supp. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, which is used for the lawful custody of accused or convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 2014 Supp. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-977 or 72-1111, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, ~~subsection (j) of K.S.A. 74-8810(j), subsection (m) or (n) of K.S.A. 79-3321(m) or (n), or subsection (a)(14) of K.S.A. 2014 Supp. 21-6301(a)(14),~~ and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act which if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2014 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in ~~subsection (a)(14) of K.S.A. 2014 Supp. 21-6301(a)(14),~~ and amendments thereto; or

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 2014 Supp. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas



Statutes Annotated, and amendments thereto, the Kansas family law code, article 11, of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators.

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 2014 Supp. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute which vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the home.

(j) "Educational institution" means all schools at the elementary and secondary levels.

(k) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in ~~subsection (a) of~~ K.S.A. 72-89b03(a), and amendments thereto.

(l) "Harm" means physical or psychological injury or damage.

(m) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 2014 Supp. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders which must not be a jail.

(p) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) "Kinship care" means the placement of a child in the home of the child's relative or in the home of another adult with whom the child or the child's parent already has a



close emotional attachment.

(r) "Law enforcement officer" means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 2014 Supp. 38-2228, and amendments thereto, which has knowledge of the circumstances of a child in need of care.

(t) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation which requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall not for that reason be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to ~~subsection (a)(2)~~ of K.S.A. 2014 Supp. 38-2217(a)(2), and amendments thereto.

(u) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

(w) "Permanency goal" means the outcome of the permanency planning process which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 2014 Supp. 38-2272, and amendments thereto.

(y) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Relative" means a person related by blood, marriage or adoption but, when referring to a relative of a child's parent, does not include the child's other parent.

(bb) "Secretary" means the secretary of the department for children and families or the secretary's designee.

(cc) "Secure facility" means a facility, other than a staff secure facility which is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being

detained has freedom of movement within the perimeters of the facility, or which relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(dd) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include allowing, permitting or encouraging a child to engage in the sale of sexual relations or commercial sexual exploitation of a child, or to be photographed, filmed or depicted in pornographic material. Sexual abuse also shall include allowing, permitting or encouraging a child to engage in aggravated human trafficking, as defined in K.S.A. 2014 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another.

(ee) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ff) "Staff secure facility" means a facility described in K.S.A. 2014 Supp. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(gg) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(hh) "Youth residential facility" means any home, foster home or structure which provides 24-hour-a-day care for children and which is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 13. K.S.A. 2014 Supp. 38-2271 is hereby amended to read as follows: 38-2271. (a) It is presumed in the manner provided in K.S.A. 60-414, and amendments thereto, that a parent is unfit by reason of conduct or condition which renders the parent unable to fully care for a child, if the state establishes, by clear and convincing evidence, that:

(1) A parent has previously been found to be an unfit parent in proceedings under K.S.A. 2014 Supp. 38-2266 et seq., and amendments thereto, or comparable proceedings under the laws of another jurisdiction;

(2) a parent has twice before been convicted of a crime specified in article 34, 35, or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6421, and amendments thereto, or comparable offenses under the laws of another jurisdiction, or an attempt or attempts to commit such crimes and the victim was under the age of 18 years;

(3) on two or more prior occasions a child in the physical custody of the parent has been adjudicated a child in need of care as defined by ~~subsection (d)(1), (d)(3), (d)(5) or (d)(11)~~ of K.S.A. 2014 Supp. 38-2202(d)(1), (d)(3), (d)(5) or (d)(11), and amendments thereto, or comparable proceedings under the laws of another jurisdiction;

(4) the parent has been convicted of causing the death of another child or stepchild of the parent;

(5) the child has been in an out-of-home placement, under court order for a cumulative total period of one year or longer and the parent has substantially neglected or willfully refused to carry out a reasonable plan, approved by the court, directed toward reintegration of the child into the parental home;

(6) (A) the child has been in an out-of-home placement, under court order for a cumulative total period of two years or longer; (B) the parent has failed to carry out a reasonable plan, approved by the court, directed toward reintegration of the child into the parental home; and (C) there is a substantial probability that the parent will not carry out such plan in the near future;

(7) a parent has been convicted of capital murder, K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto, murder in the first degree, K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto, murder in the second degree, K.S.A. 21-3402, prior to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto, ~~or~~ voluntary manslaughter, K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto, human trafficking or aggravated human trafficking, K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, K.S.A. 2014 Supp. 21-6422, and amendments thereto, or comparable proceedings under the laws of another jurisdiction or, has been adjudicated a juvenile offender because of an act which if committed by an adult would be an offense as provided in this subsection, and the victim of such murder was the other parent of the child;

(8) a parent abandoned or neglected the child after having knowledge of the child's birth or either parent has been granted immunity from prosecution for abandonment of the child under ~~subsection (b)~~ of K.S.A. 21-3604(b), prior to its repeal, or ~~subsection (d)~~ of K.S.A. 2014 Supp. 21-5605(d), and amendments thereto; or

(9) a parent has made no reasonable efforts to support or communicate with the child after having knowledge of the child's birth;

(10) a father, after having knowledge of the pregnancy, failed without reasonable cause to provide support for the mother during the six months prior to the child's birth;

(11) a father abandoned the mother after having knowledge of the pregnancy;

(12) a parent has been convicted of rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto, or comparable proceedings under the laws of another jurisdiction resulting in the conception of the child; or

(13) a parent has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition. In making this determination the court may disregard incidental visitations, contacts, communications or contributions.

(b) The burden of proof is on the parent to rebut the presumption of unfitness by a preponderance of the evidence. In the absence of proof that the parent is presently fit and able to care for the child or that the parent will be fit and able to care for the child in

the foreseeable future, the court shall terminate parental rights in proceedings pursuant to K.S.A. 2014 Supp. 38-2266 et seq., and amendments thereto.

Sec. 14. K.S.A. 2014 Supp. 38-2309 is hereby amended to read as follows: 38-2309. (a) *Official file.* The official file of proceedings pursuant to this code shall consist of the complaint, process, service of process, orders, writs and journal entries reflecting hearings held, judgments and decrees entered by the court. The official file shall be kept separate from other records of the court.

(b) The official file shall be open for public inspection, unless the judge determines that opening the official file for public inspection is not in the best interests of a juvenile who is less than 14 years of age. Information identifying victims and alleged victims of sex offenses, as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto, shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing such victim's identity. An official file closed pursuant to this section and information identifying the victim or alleged victim of any sex offense shall be disclosed only to the following:

(1) A judge of the district court and members of the staff of the court designated by the judge;

(2) parties to the proceedings and their attorneys;

(3) any individual or any public or private agency or institution: (A) Having custody of the juvenile under court order; or (B) providing educational, medical or mental health services to the juvenile;

(4) the juvenile's court appointed special advocate;

(5) any placement provider or potential placement provider as determined by the commissioner or court services officer;

(6) law enforcement officers or county or district attorneys, or their staff, when necessary for the discharge of their official duties;

(7) the Kansas racing commission, upon written request of the commission chairperson, for the purpose provided by K.S.A. 74-8804, and amendments thereto, except that information identifying the victim or alleged victim of any sex offense shall not be disclosed pursuant to this subsection;

(8) juvenile intake and assessment workers;

(9) the commissioner;

(10) any other person when authorized by a court order, subject to any conditions imposed by the order; and

(11) the commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.

(c) *Social file.* Reports and information received by the court, other than the official file, shall be privileged and open to inspection only by attorneys for the parties, juvenile intake and assessment workers, court appointed special advocates, juvenile community corrections officers, the juvenile's guardian ad litem, if any, or upon order of a judge of the district court or appellate court. The reports shall not be further disclosed without

approval of the court or by being presented as admissible evidence.

(d) *Preservation of records.* The Kansas state historical society shall be allowed to take possession for preservation in the state archives of any court records related to proceedings under the Kansas juvenile justice code or the revised Kansas juvenile justice code whenever such records otherwise would be destroyed. The Kansas state historical society shall make available for public inspection any unexpunged docket entry or official file in its custody concerning any juvenile 14 or more years of age at the time an offense is alleged to have been committed by the juvenile. No other such records in the custody of the Kansas state historical society shall be disclosed directly or indirectly to anyone for 70 years after creation of the records, except as provided in subsections (b) and (c). A judge of the district court may allow inspection for research purposes of any court records in the custody of the Kansas state historical society related to proceedings under the Kansas juvenile justice code or the revised Kansas juvenile justice code.

(e) Relevant information, reports and records, shall be made available to the department of corrections upon request, and a showing that the former juvenile has been convicted of a crime and placed in the custody of the secretary of corrections.

Sec. 15. K.S.A. 2014 Supp. 38-2310 is hereby amended to read as follows: 38-2310. (a) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile under 14 years of age shall be kept readily distinguishable from criminal and other records and shall not be disclosed to anyone except:

(1) The judge of the district court and members of the staff of the court designated by the judge;

(2) parties to the proceedings and their attorneys;

(3) the Kansas department for children and families;

(4) the juvenile's court appointed special advocate, any officer of a public or private agency or institution or any individual having custody of a juvenile under court order or providing educational, medical or mental health services to a juvenile;

(5) any educational institution, to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees;

(6) any educator, to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils;

(7) law enforcement officers or county or district attorneys, or their staff, when necessary for the discharge of their official duties;

(8) the central repository, as defined by K.S.A. 22-4701, and amendments thereto, for use only as a part of the juvenile offender information system established under K.S.A. 2014 Supp. 38-2326, and amendments thereto;

(9) juvenile intake and assessment workers;

(10) ~~the juvenile justice authority~~ department of corrections;

(11) juvenile community corrections officers;

(12) any other person when authorized by a court order, subject to any conditions imposed by the order; and

(13) as provided in subsection (c).

(b) The provisions of this section shall not apply to records concerning:

(1) A violation, by a person 14 or more years of age, of any provision of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, or of any city ordinance or

county resolution which relates to the regulation of traffic on the roads, highways or streets or the operation of self-propelled or nonself-propelled vehicles of any kind;

(2) a violation, by a person 16 or more years of age, of any provision of chapter 32 of the Kansas Statutes Annotated, and amendments thereto; or

(3) an offense for which the juvenile is prosecuted as an adult.

(c) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile 14 or more years of age shall be subject to the same disclosure restrictions as the records of adults. Information identifying victims and alleged victims of sex offenses, as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, ~~or and amendments thereto,~~ K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, ~~or human trafficking or aggravated human trafficking,~~ as defined in K.S.A. 21-3446 or 21-3447, ~~prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto,~~ shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit the victim or any alleged victim of any sex offense from voluntarily disclosing such victim's identity.

(d) Relevant information, reports and records, shall be made available to the department of corrections upon request and a showing that the former juvenile has been convicted of a crime and placed in the custody of the secretary of corrections.

(e) All records, reports and information obtained as a part of the juvenile intake and assessment process for juveniles shall be confidential, and shall not be disclosed except as provided by statutory law and rules and regulations promulgated by the commissioner ~~thereunder~~.

(1) Any court of record may order the disclosure of such records, reports and other information to any person or entity.

(2) The head of any juvenile intake and assessment program, certified by the commissioner of juvenile justice, may authorize disclosure of such records, reports and other information to:

(A) A person licensed to practice the healing arts who has before that person a juvenile whom the person reasonably suspects may be abused or neglected;

(B) a court-appointed special advocate for a juvenile or an agency having the legal responsibility or authorization to care for, treat or supervise a juvenile;

(C) a parent or other person responsible for the welfare of a juvenile, or such person's legal representative, with protection for the identity of persons reporting and other appropriate persons;

(D) the juvenile, the attorney and a guardian ad litem, if any, for such juvenile;

(E) the police or other law enforcement agency;

(F) an agency charged with the responsibility of preventing or treating physical, mental or emotional abuse or neglect or sexual abuse of children, if the agency requesting the information has standards of confidentiality as strict or stricter than the requirements of the Kansas code for care of children or the revised Kansas juvenile justice code, whichever is applicable;

(G) members of a multidisciplinary team under this code;

(H) an agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a child who is the subject of a report or record of child abuse or neglect;

(I) any individual, or public or private agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a juvenile who is the subject of a report or record of child abuse or neglect, specifically including the following: Physicians, psychiatrists, nurses, nurse practitioners, psychologists, licensed social workers, child development specialists, ~~physicians'~~ physician assistants, community mental health workers, ~~alcohol and drug abuse~~ addiction counselors and licensed or registered child care providers;

(J) a citizen review board pursuant to K.S.A. 2014 Supp. 38-2207, and amendments thereto;

(K) an educational institution to the extent necessary to enable such institution to provide the safest possible environment for pupils and employees of the institution;

(L) any educator to the extent necessary for the protection of the educator and pupils; and

(M) any juvenile intake and assessment worker of another certified juvenile intake and assessment program.

Sec. 16. K.S.A. 2014 Supp. 39-970 is hereby amended to read as follows: 39-970.

(a) (1) No person shall knowingly operate an adult care home if, in the adult care home, there works any person who has been convicted of or has been adjudicated a juvenile offender because of having committed an act which if done by an adult would constitute the commission of capital murder, pursuant to K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto, first degree murder, pursuant to K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto, second degree murder, pursuant to ~~subsection (a) of~~ K.S.A. 21-3402(a), prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5403(a), and amendments thereto, voluntary manslaughter, pursuant to K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto, assisting suicide, pursuant to K.S.A. 21-3406, prior to its repeal, or K.S.A. 2014 Supp. 21-5407, and amendments thereto, mistreatment of a dependent adult or mistreatment of an elder person, pursuant to K.S.A. 21-3437, prior to its repeal, or K.S.A. 2014 Supp. 21-5417, and amendments thereto, human trafficking, pursuant to K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto, aggravated human trafficking, pursuant to K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto, rape, pursuant to K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto, indecent liberties with a child, pursuant to K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5506(a), and amendments thereto, aggravated indecent liberties with a child, pursuant to K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5506(b), and amendments thereto, aggravated criminal sodomy, pursuant to K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5504(b), and amendments thereto, indecent solicitation of a child, pursuant to K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5508(a), and amendments thereto, aggravated indecent solicitation of a child, pursuant to K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5508(b), and amendments thereto, sexual exploitation of a child, pursuant to K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto, sexual battery, pursuant to K.S.A. 21-3517, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5505(a), and amendments thereto, ~~or~~ aggravated sexual battery, pursuant to K.S.A. 21-3518, prior to



its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5505(b), and amendments thereto, commercial sexual exploitation of a child, pursuant to K.S.A. 2014 Supp. 21-6422, and amendments thereto, an attempt to commit any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, a conspiracy to commit any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, or criminal solicitation of any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments thereto, or similar statutes of other states or the federal government. The provisions of subsection (a)(2)(C) shall not apply to any person who is employed by an adult care home on July 1, 2010, and while continuously employed by the same adult care home.

(2) A person operating an adult care home may employ an applicant who has been convicted of any of the following if five or more years have elapsed since the applicant satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; or if five or more years have elapsed since the applicant has been finally discharged from the custody of the commissioner of juvenile justice or from probation or has been adjudicated a juvenile offender, whichever time is longer: A felony conviction for a crime which is described in: (A) Article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, except those crimes listed in subsection (a)(1); (B) articles 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through 21-6421, and amendments thereto, except those crimes listed in subsection (a)(1) and K.S.A. 21-3605, prior to its repeal, or K.S.A. 2014 Supp. 21-5606, and amendments thereto; (C) K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto; (D) an attempt to commit any of the crimes listed in this subsection (a)(2), pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto; (E) a conspiracy to commit any of the crimes listed in subsection (a)(2), pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto; (F) criminal solicitation of any of the crimes listed in subsection (a)(2), pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments thereto; or (G) similar statutes of other states or the federal government.

(b) No person shall operate an adult care home if such person has been found to be in need of a guardian or conservator, or both as provided in K.S.A. 59-3050 through 59-3095, and amendments thereto. The provisions of this subsection shall not apply to a minor found to be in need of a guardian or conservator for reasons other than impairment.

(c) The secretary for aging and disability services shall have access to any criminal history record information in the possession of the Kansas bureau of investigation regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications



of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, concerning persons working in an adult care home. The secretary shall have access to these records for the purpose of determining whether or not the adult care home meets the requirements of this section. The Kansas bureau of investigation may charge to the Kansas department for aging and disability services a reasonable fee for providing criminal history record information under this subsection.

(d) For the purpose of complying with this section, the operator of an adult care home shall request from the Kansas department for aging and disability services information regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, and which relates to a person who works in the adult care home, or is being considered for employment by the adult care home, for the purpose of determining whether such person is subject to the provision of this section. For the purpose of complying with this section, the operator of an adult care home shall receive from any employment agency which provides employees to work in the adult care home written certification that such employees are not prohibited from working in the adult care home under this section. For the purpose of complying with this section, information relating to convictions and adjudications by the federal government or to convictions and adjudications in states other than Kansas shall not be required until such time as the secretary for aging and disability services determines the search for such information could reasonably be performed and the information obtained within a two-week period. For the purpose of complying with this section, a person who operates an adult care home may hire an applicant for employment on a conditional basis pending the results from the Kansas department for aging and disability services of a request for information under this subsection. No adult care home, the operator or employees of an adult care home or an employment agency, or the operator or employees of an employment agency, shall be liable for civil damages resulting from any decision to employ, to refuse to employ or to discharge from employment any person based on such adult care home's compliance with the provisions of this section if such adult care home or employment agency acts in good faith to comply with this section.

(e) The secretary for aging and disability services shall charge each person requesting information under this section a fee equal to cost, not to exceed \$10, for each name about which an information request has been submitted to the department under this section.

(f) (1) The secretary for aging and disability services shall provide each operator requesting information under this section with the criminal history record information concerning any criminal history information and convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, in writing and within three working days of receipt of such information from the Kansas bureau of investigation.

The criminal history record information shall be provided regardless of whether the information discloses that the subject of the request has been convicted of an offense enumerated in subsection (a).

(2) When an offense enumerated in subsection (a) exists in the criminal history record information, and when further confirmation regarding criminal history record information is required from the appropriate court of jurisdiction or Kansas department of corrections, the secretary shall notify each operator that requests information under this section in writing and within three working days of receipt from the Kansas bureau of investigation that further confirmation is required. The secretary shall provide to the operator requesting information under this section information in writing and within three working days of receipt of such information from the appropriate court of jurisdiction or Kansas department of corrections regarding confirmation regarding the criminal history record information.

(3) Whenever the criminal history record information reveals that the subject of the request has no criminal history on record, the secretary shall provide notice to each operator requesting information under this section, in writing and within three working days after receipt of such information from the Kansas bureau of investigation.

(4) The secretary for aging and disability services shall not provide each operator requesting information under this section with the juvenile criminal history record information which relates to a person subject to a background check as is provided by K.S.A. 2014 Supp. 38-2326, and amendments thereto, except for adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto. The secretary shall notify the operator that requested the information, in writing and within three working days of receipt of such information from the Kansas bureau of investigation, whether juvenile criminal history record information received pursuant to this section reveals that the operator would or would not be prohibited by this section from employing the subject of the request for information and whether such information contains adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto.

(5) An operator who receives criminal history record information under this subsection ~~(f)~~ shall keep such information confidential, except that the operator may disclose such information to the person who is the subject of the request for information. A violation of this paragraph ~~(5)~~ shall be an unclassified misdemeanor punishable by a fine of \$100.

(g) No person who works for an adult care home and who is currently licensed or registered by an agency of this state to provide professional services in the state and who provides such services as part of the work which such person performs for the adult care home shall be subject to the provisions of this section.

(h) A person who volunteers in an adult care home shall not be subject to the provisions of this section because of such volunteer activity.

(i) An operator may request from the Kansas department for aging and disability services criminal history information on persons employed under subsections (g) and (h).

(j) No person who has been employed by the same adult care home since July 1, 1992, shall be subject to the provisions of this section while employed by such adult care home.

(k) The operator of an adult care home shall not be required under this section to conduct a background check on an applicant for employment with the adult care home if the applicant has been the subject of a background check under this act within one year prior to the application for employment with the adult care home. The operator of an adult care home where the applicant was the subject of such background check may release a copy of such background check to the operator of an adult care home where the applicant is currently applying.

(l) No person who is in the custody of the secretary of corrections and who provides services, under direct supervision in nonpatient areas, on the grounds or other areas designated by the superintendent of the Kansas soldiers' home or the Kansas veterans' home shall be subject to the provisions of this section while providing such services.

(m) For purposes of this section, the Kansas bureau of investigation shall report any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, to the secretary for aging and disability services when a background check is requested.

(n) This section shall be part of and supplemental to the adult care home licensure act.

Sec. 17. K.S.A. 2014 Supp. 44-706 is hereby amended to read as follows: 44-706. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, "good cause" is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual's weekly benefit amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing health care provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available. As used in this paragraph "health care provider" means any person licensed by the proper licensing authority of any state to

engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enlist in the armed forces of the United States, but was rejected or delayed from entry;

(4) the spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual's spouse from one job to another job, which is for the same employer or for a different employer, at a geographic location which makes it unreasonable for the individual to continue work at the individual's job. For the purposes of this provision the term "armed forces" means active duty in the army, navy, marine corps, air force, coast guard or any branch of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for such work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up such worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to, consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties which is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had

exhausted all remedies provided in such agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services or shelter from an agency which provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations which may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, such individual shall be disqualified for benefits until such

individual again becomes employed and has had earnings from insured work of at least eight times such individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No such cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) For the purposes of this subsection, "misconduct" is defined as a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of such individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited to, violation of the employer's reasonable attendance expectations if the facts show:

- (i) The individual was absent or tardy without good cause;
- (ii) the individual had knowledge of the employer's attendance expectation; and
- (iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, such evidence shall include documentation from a licensed and practicing health care provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

(i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(ii) the impairment caused by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(iii) a positive breath alcohol test or a positive chemical test, provided:

(a) The test was either:

(1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;

(4) required by law and the test constituted a required condition of employment for the individual's job; or

(5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(b) the test sample was collected either:

(1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) as prescribed by the written policy of the employer of which the employee had knowledge and which constituted a required condition of employment;

(4) as prescribed by a test which was required by law and which constituted a required condition of employment for the individual's job; or

(5) at a time contemporaneous with the events establishing probable cause;

(c) the collecting and labeling of a chemical test sample was performed by a licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;

(d) the chemical test was performed by a laboratory approved by the United States department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;

(e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no such confirmation is required for a blood alcohol sample or a breath alcohol test;

(f) the breath alcohol test was administered by an individual trained to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and

(g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;

(iv) an individual's refusal to submit to a chemical test or breath alcohol test, provided:

(a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;

(b) the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;



- (v) an individual's dilution or other tampering of a chemical test.
- (C) For purposes of this subsection:
  - (i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;
  - (ii) "alcoholic liquor" shall be defined as provided in K.S.A. 41-102, and amendments thereto;
  - (iii) "cereal malt beverage" shall be defined as provided in K.S.A. 41-2701, and amendments thereto;
  - (iv) "chemical test" shall include, but is not limited to, tests of urine, blood or saliva;
  - (v) "controlled substance" shall be defined as provided in K.S.A. 2014 Supp. 21-5701, and amendments thereto;
  - (vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;
  - (vii) "positive breath test" shall mean a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a test result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program;
  - (viii) "positive chemical test" shall mean a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.
- (4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:
  - (A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time at which such individual intended to quit and any individual who commits misconduct after such individual gives notice to such individual's intent to quit shall be disqualified;
  - (B) the individual was making a good-faith effort to do the assigned work but was discharged due to: (i) Inefficiency; (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience; (iii) isolated instances of ordinary negligence or inadvertence; (iv) good-faith errors in judgment or discretion; or (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or
  - (C) the individual's refusal to perform work in excess of the contract of hire.
  - (c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of



labor, or an employer, such disqualification shall begin with the week in which such failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times such individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably fitted by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing such work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and (4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to such domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work which exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or persons designated by the secretary, that: (1) The individual is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of such labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week with respect to which or a part of which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or the United States finally determines that the individual is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) For any week with respect to which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ex-service men and women in recognition of former service with the military or naval services of the United States.

(g) For the period of five years beginning with the first day following the last week of unemployment for which the individual received benefits, or for five years from the date the act was committed, whichever is the later, if the individual, or another in such individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other provision of law, such penalty shall be deposited into the employment security trust fund.

(h) For any week with respect to which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in ~~subsection (v)~~ of K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during such period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in ~~subsection (v)~~ of K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms if the individual performs such services in the first of such academic years or terms and there is a reasonable assurance that the individual will perform such services in the second of such academic years or terms, except that if benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which

benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in ~~subsection (v)~~ of K.S.A. 44-703(v), and amendments thereto, if such week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before such vacation period or holiday recess and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, if such week begins during the period between two successive sport seasons or similar period if such individual performed services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by such employer, except that: (1) If the entire contributions to such plan were provided by the base period employer but such individual's weekly benefit amount exceeds such governmental or other pension, retirement or retired pay, annuity or other similar periodic payment attributable to such week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of such pension, retirement or retired pay, annuity or other similar periodic payment which is attributable to such week; or (2) if only a portion of contributions to such plan were provided by the base period employer, the weekly benefit amount payable to such individual for such week shall be reduced, but not below zero, by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by such individual; or (3) if the entire contributions to the plan were provided by such individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection; or (4) whatever portion of contributions to such plan were provided by the base period employer, if the services performed for the employer by

such individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, such pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection. No reduction shall be made for payments made under the social security act or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) which an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in ~~subsection (v)~~ of K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) which are provided to or on behalf of an educational institution, as defined in ~~subsection (v)~~ of K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer which is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 which is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection provided:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance;

(2) the individual is attending approved training as defined in ~~subsection (s)~~ of K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes, which would not affect availability for work, and is otherwise eligible under ~~subsection (e)~~ of K.S.A. 44-705(c), and amendments thereto.

(s) For any week with respect to which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of such specificity in the award or agreement, such remuneration shall be

allocated to the week or weeks in which such remuneration, in the judgment of the secretary, would have been paid.

(1) For any such weeks that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, such employer shall pay the department the amount withheld. With respect to such amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

(t) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until such applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any such individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

(u) If the individual was found not to have a disqualifying adjudication or conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

Sec. 18. K.S.A. 2014 Supp. 59-2132 is hereby amended to read as follows: 59-2132. (a) Except as provided in subsection (h), in independent and agency adoptions, the court shall require the petitioner to obtain an assessment of the advisability of the

adoption by a court approved:

(1) (A) Licensed social worker, licensed specialist social worker, licensed specialist clinical social worker, licensed masters social worker, licensed baccalaureate social worker or licensed associate social worker licensed by the behavioral sciences regulatory board;

(B) licensed clinical marriage and family therapist as defined in K.S.A. 65-6402, and amendments thereto;

(C) licensed marriage and family therapist as defined in K.S.A. 65-6402, and amendments thereto;

(D) licensed clinical professional counselor as defined in K.S.A. 65-5802, and amendments thereto;

(E) licensed professional counselor as defined in K.S.A. 65-5802, and amendments thereto;

(F) licensed psychologist as defined in K.S.A. 65-6319, and amendments thereto;

(G) licensed masters level psychologist as defined in K.S.A. 74-5362, and amendments thereto;

(H) licensed clinical psychotherapist as defined in K.S.A. 74-5363, and amendments thereto; or

(I) a licensed child-placing agency.

(2) Any person performing an assessment pursuant to this subsection shall:

(A) Possess a minimum of two years experience in adoption services or be supervised by a person with such experience; or

(B) if licensed by the behavioral sciences regulatory board to diagnose and treat mental disorders in independent practice, possess a minimum of one year of experience in adoption services or be supervised by a person with such experience.

(b) The petitioner shall file with the court, not less than 10 days before the hearing on the petition, a report of the assessment and, if necessary, confirmation or clarification of the information filed under K.S.A. 59-2130, and amendments thereto.

(c) If there is no one authorized pursuant to this section available to make the assessment and report to the court, the court may use the Kansas department for children and families for that purpose.

(d) The costs of making the assessment and report may be assessed as court costs in the case as provided in article 20 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto.

(e) In making the assessment, the person authorized pursuant to this section or Kansas department for children and families is authorized to observe the child in the petitioner's home, verify financial information of the petitioner, shall clear the name of the petitioner with the child abuse and neglect registry through the Kansas department for children and families and, when appropriate, with a similar registry in another state or nation, shall determine whether the petitioner has been convicted of a felony for any act described in articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto, or, within the last five years been convicted of a felony violation of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances

act prior to July 1, 2009, and, when appropriate, any similar conviction in another jurisdiction, and to contact the agency or individuals consenting to the adoption and confirm and, if necessary, clarify any genetic and medical history filed with the petition. This information shall be made a part of the report to the court. The report to the court by any person authorized pursuant to this section to perform this assessment shall include the results of the investigation of the petitioner, the petitioner's home and the ability of the petitioner to care for the child.

(f) In the case of a nonresident who is filing a petition to adopt a child in Kansas, the assessment and report required by this section must be completed in the petitioner's state of residence by a person authorized in that state to conduct such assessments. Such report shall be filed with the court not less than 10 days before the hearing on the petition.

(g) The assessment and report required by this section shall comply with any applicable rules and regulations of the department of health and environment and shall have been completed not more than one year prior to the filing of the petition for adoption.

(h) The assessment and report required by this section may be waived by the court upon: (1) Review of a petition requesting such waiver by a relative of the child; or

(2) the court's own motion.

Sec. 19. K.S.A. 2014 Supp. 59-29a14 is hereby amended to read as follows: 59-29a14. (a) The county or district attorney shall file a special allegation of sexual motivation within 14 days after arraignment in every criminal case other than sex offenses as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify a finding of sexual motivation by a reasonable and objective fact finder.

(b) In a criminal case wherein there has been a special allegation, the state shall prove beyond a reasonable doubt that the accused committed the crime with a sexual motivation. The court shall make a finding of fact of whether or not a sexual motivation was present at the time of the commission of the crime, or if a jury trial is had, the jury, if it finds the defendant guilty, also shall find a special verdict as to whether or not the defendant committed the crime with a sexual motivation. This finding shall not be applied to sex offenses as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto.

(c) The county or district attorney shall not withdraw the special allegation of sexual motivation without approval of the court through an order of dismissal of the special allegation. The court shall not dismiss this special allegation unless it finds that such an order is necessary to correct an error in the initial charging decision or unless there are evidentiary problems which make proving the special allegation doubtful.

Sec. 20. K.S.A. 2014 Supp. 60-455 is hereby amended to read as follows: 60-455. (a) Subject to K.S.A. 60-447, and amendments thereto, evidence that a person committed a crime or civil wrong on a specified occasion, is inadmissible to prove such person's disposition to commit crime or civil wrong as the basis for an inference that the



person committed another crime or civil wrong on another specified occasion.

(b) Subject to K.S.A. 60-445 and 60-448, and amendments thereto, such evidence is admissible when relevant to prove some other material fact including motive, opportunity, intent, preparation, plan, knowledge, identity or absence of mistake or accident.

(c) Subject to K.S.A. 60-445 and 60-448, and amendments thereto, in any criminal action other than a criminal action in which the defendant is accused of a sex offense under articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or ~~21-6418~~ 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, such evidence is admissible to show the modus operandi or general method used by a defendant to perpetrate similar but totally unrelated crimes when the method of committing the prior acts is so similar to that utilized in the current case before the court that it is reasonable to conclude the same individual committed both acts.

(d) Except as provided in K.S.A. 60-445, and amendments thereto, in a criminal action in which the defendant is accused of a sex offense under articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or ~~21-6418~~ 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, evidence of the defendant's commission of another act or offense of sexual misconduct is admissible, and may be considered for its bearing on any matter to which it is relevant and probative.

(e) In a criminal action in which the prosecution intends to offer evidence under this rule, the prosecuting attorney shall disclose the evidence to the defendant, including statements of witnesses, at least 10 days before the scheduled date of trial or at such later time as the court may allow for good cause.

(f) This rule shall not be construed to limit the admission or consideration of evidence under any other rule or to limit the admissibility of the evidence of other crimes or civil wrongs in a criminal action under a criminal statute other than in articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or ~~21-6418~~ 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto.

(g) As used in this section, an "act or offense of sexual misconduct" includes:

(1) Any conduct proscribed by article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto;

(2) the sexual gratification component of aggravated human trafficking, as described in ~~subsection (a)(1)(B) and (a)(2) of K.S.A. 21-3447(a)(1)(B) or (a)(2), prior to its repeal, or subsection (b)(1)(B) or (b)(2) of K.S.A. 2014 Supp. 21-5426(b)(1)(B) or (b)(2), and amendments thereto;~~

(3) exposing another to a life threatening communicable disease, as described in ~~subsection (a)(1) of K.S.A. 21-3435(a)(1), prior to its repeal, or subsection (a)(1) of K.S.A. 2014 Supp. 21-5424(a)(1), and amendments thereto;~~

(4) incest, as described in K.S.A. 21-3602, prior to its repeal, or ~~subsection (a) of~~



K.S.A. 2014 Supp. 21-5604(a), and amendments thereto;

(5) aggravated incest, as described in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5604(b)~~, and amendments thereto;

(6) contact, without consent, between any part of the defendant's body or an object and the genitals, mouth or anus of the victim;

(7) contact, without consent, between the genitals, mouth or anus of the defendant and any part of the victim's body;

(8) deriving sexual pleasure or gratification from the infliction of death, bodily injury or physical pain to the victim;

(9) an attempt, solicitation or conspiracy to engage in conduct described in paragraphs (1) through (8); or

(10) any federal or other state conviction of an offense, or any violation of a city ordinance or county resolution, that would constitute an offense under article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6424~~ 21-6422, and amendments thereto, the sexual gratification component of aggravated human trafficking, as described in ~~subsection (a)(1)(B) and (a)(2) of K.S.A. 21-3447(a)(1)(B) or (a)(2)~~, prior to its repeal, or ~~subsection (b)(1)(B) or (b)(2) of K.S.A. 2014 Supp. 21-5426(b)(1)(B) or (b)(2)~~, and amendments thereto; incest, as described in K.S.A. 21-3602, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5604(a)~~, and amendments thereto; or aggravated incest, as described in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5604(b)~~, and amendments thereto, or involved conduct described in paragraphs (6) through (9).

(h) If any provisions of this section or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provisions or application. To this end the provisions of this section are severable.

Sec. 21. K.S.A. 2014 Supp. 60-5001 is hereby amended to read as follows: 60-5001. (a) Any person who, while under the age of 18, was a victim of an offense described in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6424~~ 21-6422, and amendments thereto, human trafficking, as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto, aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto, incest as defined in K.S.A. 21-3602, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5604(a)~~, and amendments thereto, or aggravated incest as defined in ~~subsection (a) (2) of K.S.A. 21-3603(a)(2)~~, prior to its repeal, or ~~subsection (b)(2) of K.S.A. 2014 Supp. 21-5604(b)(2)~~, and amendments thereto, where such offense resulted in a conviction and any portion of such offense was used in the production of child pornography, and who suffers personal or psychological injury as a result of the production, promotion, or possession of such child pornography, may bring an action in an appropriate state court against the producer, promoter or intentional possessor of such child pornography, regardless of whether the victim is now an adult.

(b) In any action brought under this section, a prevailing plaintiff shall recover the actual damages such person sustained and the cost of the suit, including reasonable attorney's fees. Any victim who is awarded damages under this section shall be deemed

to have sustained damages of at least \$150,000.

(c) Notwithstanding any other provision of law, any action commenced under this section shall be filed within three years after the later of:

- (1) The conclusion of a related criminal case;
- (2) the notification to the victim by a member of a law enforcement agency of the creation, possession, or promotion of the child pornography; or
- (3) in the case of a victim younger than 18, within three years after the person reaches the age of 18.

(d) It is not a defense to a civil cause of action under this section that the respondent did not know the victim or commit the abuse depicted in the child pornography.

(e) At the victim's request, the attorney general may pursue cases on behalf of any Kansas victim under this section. All damages obtained shall go to the victim, and the attorney general may seek reasonable attorney's fees and costs.

(f) Any action brought under this section shall be subject to the provisions of K.S.A. 74-7312, and amendments thereto.

(g) As used in this section, "child pornography" includes, but is not limited to, any visual depiction, as described in ~~subsection (a) of K.S.A. 21-3516(a)~~, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5510(a)~~, and amendments thereto, and any performance, as defined in ~~subsection (b) of K.S.A. 21-3516(b)~~, prior to its repeal, or ~~subsection (c) of K.S.A. 2014 Supp. 21-5510(c)~~, and amendments thereto.

(h) This section shall not apply to acts done in the performance of duty by any: (1) Law enforcement officer of the state of Kansas or any political subdivision thereof; (2) forensic examiner; (3) any prosecuting attorney, as defined in K.S.A. 22-2202, and amendments thereto; or (4) any bona fide child advocacy organization, including, but not limited to, the national center for missing and exploited children.

Sec. 22. K.S.A. 2014 Supp. 65-5117 is hereby amended to read as follows: 65-5117. (a) (1) No person shall knowingly operate a home health agency if, for the home health agency, there works any person who has been convicted of or has been adjudicated a juvenile offender because of having committed an act which if done by an adult would constitute the commission of capital murder, pursuant to K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto, first degree murder, pursuant to K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto, second degree murder, pursuant to ~~subsection (a) of K.S.A. 21-3402(a)~~, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5403(a)~~, and amendments thereto, voluntary manslaughter, pursuant to K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto, assisting suicide, pursuant to K.S.A. 21-3406, prior to its repeal, or K.S.A. 2014 Supp. 21-5407, and amendments thereto, mistreatment of a dependent adult or mistreatment of an elder person, pursuant to K.S.A. 21-3437, prior to its repeal, or K.S.A. 2014 Supp. 21-5417, and amendments thereto, human trafficking, pursuant to K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto, aggravated human trafficking, pursuant to K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto, rape, pursuant to K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto, indecent liberties with a child, pursuant to K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5506(a)~~, and amendments thereto, aggravated indecent liberties with a child,

pursuant to K.S.A. 21-3504, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5506(b), and amendments thereto, aggravated criminal sodomy, pursuant to K.S.A. 21-3506, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5504(b), and amendments thereto, indecent solicitation of a child, pursuant to K.S.A. 21-3510, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5508(a), and amendments thereto, aggravated indecent solicitation of a child, pursuant to K.S.A. 21-3511, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5508(b), and amendments thereto, sexual exploitation of a child, pursuant to K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto, sexual battery, pursuant to K.S.A. 21-3517, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5505(a), and amendments thereto, or aggravated sexual battery, pursuant to K.S.A. 21-3518, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5505(b), and amendments thereto, commercial sexual exploitation of a child, pursuant to K.S.A. 2014 Supp. 21-6422, and amendments thereto, an attempt to commit any of the crimes listed in this subsection (a) (1), pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, a conspiracy to commit any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, or criminal solicitation of any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments thereto, or similar statutes of other states or the federal government. The provisions of subsection (a)(2)(C) shall not apply to any person who is employed by a home health agency on July 1, 2010, and while continuously employed by the same home health agency.

(2) A person operating a home health agency may employ an applicant who has been convicted of any of the following if five or more years have elapsed since the applicant satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; or if five or more years have elapsed since the applicant has been finally discharged from the custody of the commissioner of juvenile justice or from probation or has been adjudicated a juvenile offender, whichever time is longer: A felony conviction for a crime which is described in: (A) Article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, except those crimes listed in subsection (a)(1); (B) articles 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through 21-6421, and amendments thereto, except those crimes listed in subsection (a)(1) and K.S.A. 21-3605, prior to its repeal, or K.S.A. 2014 Supp. 21-5606, and amendments thereto; (C) K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto; (D) an attempt to commit any of the crimes listed in this subsection (a)(2) pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto; (E) a conspiracy to commit any of the crimes listed in subsection (a)(2) pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto; (F) criminal solicitation of any of the crimes listed in subsection (a)(2) pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments thereto; or (G) similar statutes of other states or the federal government.

(b) No person shall operate a home health agency if such person has been found to be a person in need of a guardian or a conservator, or both, as provided in K.S.A. 59-3050 through 59-3095, and amendments thereto. The provisions of this subsection shall not apply to a minor found to be in need of a guardian or conservator for reasons other than impairment.

(c) The secretary of health and environment shall have access to any criminal history record information in the possession of the Kansas bureau of investigation regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, concerning persons working for a home health agency. The secretary shall have access to these records for the purpose of determining whether or not the home health agency meets the requirements of this section. The Kansas bureau of investigation may charge to the department of health and environment a reasonable fee for providing criminal history record information under this subsection.

(d) For the purpose of complying with this section, the operator of a home health agency shall request from the department of health and environment information regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, and which relates to a person who works for the home health agency or is being considered for employment by the home health agency, for the purpose of determining whether such person is subject to the provisions of this section. For the purpose of complying with this section, information relating to convictions and adjudications by the federal government or to convictions and adjudications in states other than Kansas shall not be required until such time as the secretary of health and environment determines the search for such information could reasonably be performed and the information obtained within a two-week period. For the purpose of complying with this section, the operator of a home health agency shall receive from any employment agency which provides employees to work for the home health agency written certification that such employees are not prohibited from working for the home health agency under this section. For the purpose of complying with this section, a person who operates a home health agency may hire an applicant for employment on a conditional basis pending the results from the department of health and environment of a request for information under this subsection. No home health agency, the operator or employees of a home health agency or an employment agency, or the operator or employees of an employment agency, which provides employees to work for the home health agency shall be liable for civil damages resulting from any decision to employ, to refuse to employ or to discharge from employment any person based on such home health agency's compliance with the provisions of this section if such home health agency or employment agency acts in good faith to comply with this

section.

(e) The secretary of health and environment shall charge each person requesting information under this section a fee equal to cost, not to exceed \$10, for each name about which an information request has been submitted under this section.

(f) (1) The secretary of health and environment shall provide each operator requesting information under this section with the criminal history record information concerning any criminal history information and convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, in writing and within three working days of receipt of such information from the Kansas bureau of investigation. The criminal history record information shall be provided regardless of whether the information discloses that the subject of the request has been convicted of an offense enumerated in subsection (a).

(2) When an offense enumerated in subsection (a) exists in the criminal history record information, and when further confirmation regarding criminal history record information is required from the appropriate court of jurisdiction or Kansas department of corrections, the secretary shall notify each operator that requests information under this section in writing and within three working days of receipt from the Kansas bureau of investigation that further confirmation is required. The secretary shall provide to the operator requesting information under this section information in writing and within three working days of receipt of such information from the appropriate court of jurisdiction or Kansas department of corrections regarding confirmation regarding the criminal history record information.

(3) Whenever the criminal history record information reveals that the subject of the request has no criminal history on record, the secretary shall provide notice to each operator requesting information under this section, in writing and within three working days after receipt of such information from the Kansas bureau of investigation.

(4) The secretary of health and environment shall not provide each operator requesting information under this section with the juvenile criminal history record information which relates to a person subject to a background check as is provided by K.S.A. 2014 Supp. 38-2326, and amendments thereto, except for adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto. The secretary shall notify the operator that requested the information, in writing and within three working days of receipt of such information from the Kansas bureau of investigation, whether juvenile criminal history record information received pursuant to this section reveals that the operator would or would not be prohibited by this section from employing the subject of the request for information and whether such information contains adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto.

(5) An operator who receives criminal history record information under this subsection (f) shall keep such information confidential, except that the operator may disclose such information to the person who is the subject of the request for information. A violation of this paragraph (5) shall be an unclassified misdemeanor punishable by a fine of \$100.

(g) No person who works for a home health agency and who is currently licensed or registered by an agency of this state to provide professional services in this state and

who provides such services as part of the work which such person performs for the home health agency shall be subject to the provisions of this section.

(h) A person who volunteers to assist a home health agency shall not be subject to the provisions of this section because of such volunteer activity.

(i) An operator may request from the department of health and environment criminal history information on persons employed under subsections (g) and (h).

(j) No person who has been employed by the same home health agency since July 1, 1992, shall be subject to the requirements of this section while employed by such home health agency.

(k) The operator of a home health agency shall not be required under this section to conduct a background check on an applicant for employment with the home health agency if the applicant has been the subject of a background check under this act within one year prior to the application for employment with the home health agency. The operator of a home health agency where the applicant was the subject of such background check may release a copy of such background check to the operator of a home health agency where the applicant is currently applying.

(l) For purposes of this section, the Kansas bureau of investigation shall only report felony convictions, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, to the secretary of health and environment when a background check is requested.

(m) This section shall be part of and supplemental to the provisions of article 51 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 23. K.S.A. 2014 Supp. 72-1397 is hereby amended to read as follows: 72-1397. (a) The state board of education shall not knowingly issue a license to or renew the license of any person who has been convicted of:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5506(a)~~, and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5506(b)~~, and amendments thereto;

(4) criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3) of K.S.A. 21-3505(a)(2) or (a)(3)~~, prior to its repeal, or ~~subsection (a)(3) or (a)(4) of K.S.A. 2014 Supp. 21-5504(a)(3) or (a)(4)~~, and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5504(b)~~, and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5508(a)~~, and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5508(b)~~, and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal,



or K.S.A. 2014 Supp. 21-5510, and amendments thereto;

(9) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5604**(b)**, and amendments thereto;

(10) aggravated endangering a child, as defined in K.S.A. 21-3608a, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5601**(b)**, and amendments thereto;

(11) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2014 Supp. 21-5602, and amendments thereto;

(12) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto;

(13) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto;

(14) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto;

(15) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto;

(16) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2014 Supp. 21-5405, and amendments thereto;

(17) involuntary manslaughter while driving under the influence of alcohol or drugs, as defined in K.S.A. 21-3442, prior to its repeal;

(18) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5505**(a)**, and amendments thereto, when, at the time the crime was committed, the victim was less than 18 years of age or a student of the person committing such crime;

(19) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5505**(b)**, and amendments thereto;

(20) commercial sexual exploitation of a child, as defined in K.S.A. 2014 Supp. 21-6422, and amendments thereto;

(21) human trafficking, as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto;

(22) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto;

~~(20)~~**(23)** attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection;

~~(21)~~**(24)** conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, to commit any act specified in this subsection;

~~(22)~~**(25)** an act in another state or by the federal government that is comparable to any act described in this subsection; or

~~(23)~~**(26)** an offense in effect at any time prior to the effective date of this act that is comparable to an offense as provided in this subsection.

(b) Except as provided in subsection (c), the state board of education shall not knowingly issue a license to or renew the license of any person who has been convicted of, or has entered into a criminal diversion agreement after having been charged with:

(1) A felony under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

(2) a felony described in any section of article 34 of chapter 21 of the Kansas

Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, other than an act specified in subsection (a), or a battery, as described in K.S.A. 21-3412, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5413(a), and amendments thereto, or domestic battery, as described in K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2014 Supp. 21-5414, and amendments thereto, if the victim is a minor or student;

(3) a felony described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through 21-6421, and amendments thereto, other than an act specified in subsection (a);

(4) any act described in any section of article 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 56 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, other than an act specified in subsection (a);

(5) a felony described in article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 58 of chapter 21 of the Kansas Statutes Annotated, or ~~subsection (a)(6)~~ of K.S.A. 2014 Supp. 21-6412(a)(6), and amendments thereto;

(6) promoting obscenity, as described in K.S.A. 21-4301, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-6401(a), and amendments thereto, promoting obscenity to minors, as described in K.S.A. 21-4301a, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-6401(b), and amendments thereto, or promoting to minors obscenity harmful to minors, as described in K.S.A. 21-4301c, prior to its repeal, or K.S.A. 2014 Supp. 21-6402, and amendments thereto;

(7) endangering a child, as defined in K.S.A. 21-3608, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5601(a), and amendments thereto;

(8) driving under the influence of alcohol or drugs in violation of K.S.A. 8-1567 or 8-2,144, and amendments thereto, when the violation is punishable as a felony;

(9) attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection;

(10) conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, to commit any act specified in this subsection; or

(11) an act committed in violation of a federal law or in violation of another state's law that is comparable to any act described in this subsection.

(c) The state board of education may issue a license to or renew the license of a person who has been convicted of committing an offense or act described in subsection (b) or who has entered into a criminal diversion agreement after having been charged with an offense or act described in subsection (b) if the state board determines, following a hearing, that the person has been rehabilitated for a period of at least five years from the date of conviction of the offense or commission of the act or, in the case of a person who has entered into a criminal diversion agreement, that the person has satisfied the terms and conditions of the agreement. The state board of education may consider factors including, but not limited to, the following in determining whether to grant a license:

- (1) The nature and seriousness of the offense or act;
- (2) the conduct of the person subsequent to commission of the offense or act;
- (3) the time elapsed since the commission of the offense or act;



- (4) the age of the person at the time of the offense or act;
- (5) whether the offense or act was an isolated or recurring incident; and
- (6) discharge from probation, pardon or expungement.

(d) Before any license is denied by the state board of education for any of the offenses or acts specified in subsections (a) and (b), the person shall be given notice and an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

(e) The county or district attorney shall file a report with the state board of education indicating the name, address and social security number of any person who has been determined to have committed any offense or act specified in subsection (a) or (b) or to have entered into a criminal diversion agreement after having been charged with any offense or act specified in subsection (b). Such report shall be filed within 30 days of the date of the determination that the person has committed any such act or entered into any such diversion agreement.

(f) The state board of education shall not be liable for civil damages to any person refused issuance or renewal of a license by reason of the state board's compliance, in good faith, with the provisions of this section.

Sec. 24. K.S.A. 2014 Supp. 74-7305 is hereby amended to read as follows: 74-7305. (a) An application for compensation shall be made in the manner and form prescribed by the board.

(b) Compensation may not be awarded unless an application has been filed with the board within two years of the reporting of the incident to law enforcement officials if the victim was less than 16 years of age and the injury or death is the result of any of the following crimes: (1) Indecent liberties with a child as defined in K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5506(a),~~ and amendments thereto; (2) aggravated indecent liberties with a child as defined in K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5506(b),~~ and amendments thereto; (3) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5504(b),~~ and amendments thereto; (4) enticement of a child as defined in K.S.A. 21-3509 prior to its repeal; (5) indecent solicitation of a child as defined in K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5508(a),~~ and amendments thereto; (6) aggravated indecent solicitation of a child as defined in K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5508(b),~~ and amendments thereto; (7) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto; or (8) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5604(b),~~ and amendments thereto; (9) human trafficking as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto; (10) aggravated human trafficking as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto; or (11) commercial sexual exploitation of a child as defined in K.S.A. 2014 Supp. 21-6422, and amendments thereto. Compensation for mental health counseling may be awarded, if a claim is filed within two years of testimony, to a claimant who is, or will be, required to testify in a sexually violent predator commitment, pursuant to article 29a of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, of an offender who victimized the claimant or the victim on whose behalf the claim is made. For all other incidents of criminally injurious conduct,

compensation may not be awarded unless the claim has been filed with the board within two years after the injury or death upon which the claim is based. Compensation may not be awarded to a claimant who was the offender or an accomplice of the offender and may not be awarded to another person if the award would unjustly benefit the offender or accomplice.

(c) Compensation otherwise payable to a claimant shall be reduced or denied, to the extent, if any that the:

(1) Economic loss upon which the claimant's claim is based is recouped from other persons, including collateral sources;

(2) board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims; or

(3) board deems reasonable, because the victim was likely engaging in, or attempting to engage in, unlawful activity at the time of the crime upon which the claim for compensation is based. This subsection shall not be construed to reduce or deny compensation to a victim of domestic abuse or sexual assault.

(d) Compensation may be awarded only if the board finds that unless the claimant is awarded compensation the claimant will suffer financial stress as the result of economic loss otherwise reparable. A claimant suffers financial stress only if the claimant cannot maintain the claimant's customary level of health, safety and education for self and dependents without undue financial hardship. In making its determination of financial stress, the board shall consider all relevant factors, including:

(1) The number of claimant's dependents;

(2) the usual living expenses of the claimant and the claimant's family;

(3) the special needs of the claimant and the claimant's dependents;

(4) the claimant's income and potential earning capacity; and

(5) the claimant's resources.

(e) Compensation may not be awarded unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within 72 hours after its occurrence or the board finds there was good cause for the failure to report within that time.

(f) The board, upon finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies, may deny, withdraw or reduce an award of compensation.

(g) Except in K.S.A. 21-3602 or 21-3603, prior to their repeal, or K.S.A. 2014 Supp. 21-5604, and amendments thereto, or cases of sex offenses established in article 35 of chapter 21, of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, ~~or and amendments thereto~~, K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto, compensation may not be awarded if the economic loss is less than \$100.

(h) Compensation for work loss, replacement services loss, dependent's economic loss and dependent's replacement service loss may not exceed \$400 per week or actual loss, whichever is less.

(i) Compensation payable to a victim and to all other claimants sustaining economic loss because of injury to or death of that victim may not exceed \$25,000 in the aggregate.

Sec. 25. K.S.A. 2014 Supp. 75-452 is hereby amended to read as follows: 75-452. The following words and phrases when used in K.S.A. 2014 Supp. 75-451 to 75-458, inclusive, and amendments thereto, shall have the meanings respectively ascribed to them herein, unless the context clearly requires otherwise:

- (a) "Abuse" means:
  - (1) Causing or attempting to cause physical harm;
  - (2) placing another person in fear of imminent physical harm;
  - (3) causing another person to engage involuntarily in sexual relations by force, threats or duress, or threatening to do so;
  - (4) engaging in mental abuse, which includes threats, intimidation and acts designed to induce terror;
  - (5) depriving another person of necessary health care, housing or food; or
  - (6) unreasonably and forcibly restraining the physical movement of another.
- (b) "Confidential address" means a residential street address, school street address or work street address of an individual, as specified on the individual's application to be a program participant under K.S.A. 2014 Supp. 75-451 to 75-458, inclusive, and amendments thereto.
- (c) "Confidential mailing address" means an address that is recognized for delivery by the United States postal service.
- (d) "Domestic violence" means abuse committed against a victim or the victim's spouse or dependent child by:
  - (1) A current or former spouse of the victim;
  - (2) a person with whom the victim shares parentage of a child in common;
  - (3) a person who is cohabitating with, or has cohabitated with, the victim;
  - (4) a person who is related by blood or marriage; or
  - (5) a person with whom the victim has or had a dating or engagement relationship.
- (e) "Program participant" means a person certified as a program participant under K.S.A. 2014 Supp. 75-453, and amendments thereto.
- (f) "Enrolling agent" means state and local agencies, law enforcement offices, nonprofit agencies and any others designated by the secretary of state that provide counseling and shelter services to victims of domestic violence, sexual assault, human trafficking or stalking.
- (g) "Sexual assault" means an act which if committed in this state would constitute any crime defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto.
- (h) "Stalking" means an act which if committed in this state would constitute "stalking" as defined by K.S.A. 60-31a01, and amendments thereto.
- (i) "Human trafficking" means an act which if committed in this state would constitute the crime of human trafficking as defined by K.S.A. 21-3446, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5426(a)~~, and amendments thereto.

Sec. 26. K.S.A. 2014 Supp. 76-11a13 is hereby amended to read as follows: 76-11a13. (a) (1) Subject to the provisions of subsection (b), the provisions of K.S.A. 76-11a06 through 76-11a11, and amendments thereto, apply only to: (A) Teachers who have completed not less than three consecutive years of employment, and been offered a contract for a fourth year of employment, at the state school in which the teacher is currently employed; and (B) teachers who have completed not less than two

consecutive years of employment, and been offered a contract for a third year of employment, at the state school in which the teacher is currently employed if at any time prior to the current employment the teacher has completed the years of employment requirement of ~~subpart subsection (a)(1)(A)~~ at the other state school.

(2) The state board may waive, at any time, the years of employment requirements of ~~provision subsection (a)(1)~~ for any teachers employed at a state school.

(3) The provisions of this subsection are subject to the provisions of K.S.A. 76-11a14, and amendments thereto.

(b) The provisions of K.S.A. 76-11a06 through 76-11a11, and amendments thereto, do not apply to any teacher whose certificate has been nonrenewed or revoked by the state board for the reason that the teacher: (1) Has been nonconvicted of a felony under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; (2) has been convicted of a felony described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, or an act described in K.S.A. 21-3412, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5413(a), and amendments thereto, if the victim is a minor or student; (3) has been convicted of a felony described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, or has been convicted of an act described in K.S.A. 21-3517, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5505(a), and amendments thereto, if the victim is a minor or student; (4) has been convicted of any act described in any section of article 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 56 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto; (5) has been convicted of a felony described in article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 58 of chapter 21 of the Kansas Statutes Annotated, or ~~subsection (a)(6)~~ of K.S.A. 2014 Supp. 21-6412(a)(6), and amendments thereto; (6) has been convicted of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection; (7) has been convicted of any act which is described in K.S.A. 21-4301, 21-4301a or 21-4301c, prior to their repeal, or K.S.A. 2014 Supp. 21-6401 or 21-6402, and amendments thereto; (8) has been convicted in another state or by the federal government of an act similar to any act described in this subsection; or (9) has entered into a criminal diversion agreement after having been charged with any offense described in this subsection.

Sec. 27. K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas, and K.S.A. 2014 Supp. 21-5501, 21-6328, 22-3424, 22-3436, 22-3701, 22-3727, 22-3727a, 22-4614, 23-2225, 23-3222, 38-2202, 38-2271, 38-2309, 38-2310, 39-970, 44-706, 59-2132, 59-29a14, 60-455, 60-5001, 65-5117, 72-1397, 74-7305, 75-452 and 76-11a13 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "human trafficking

and related crimes; relating to commercial sexual exploitation of a child; civil action for victims; restitution; amending K.S.A. 2014 Supp. 21-5501, 21-6328, 22-3424, 22-3436, 22-3701, 22-3727, 22-3727a, 22-4614, 23-2225, 23-3222, 38-2202, 38-2271, 38-2309, 38-2310, 39-970, 44-706, 59-2132, 59-29a14, 60-455, 60-5001, 65-5117, 72-1397, 74-7305, 75-452 and 76-11a13 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas";

And your committee on conference recommends the adoption of this report.

JAN PAULS

CHARLES MACHEERS

JIM WARD

*Conferees on part of House*

JEFF KING

GREG SMITH

*Conferees on part of Senate*

On motion of Rep. Pauls to adopt the conference committee report on **SB 113** was adopted.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Campbell, Edmonds, Houston, Huebert, Kahrs, Kiegerl, Kleeb, Rubin, Schroeder, Suellentrop, Thompson, Whipple.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2183** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments (Corrected), as follows:

On page 1, following line 9, by inserting:

"New Section 1. (a) Every person who is registered as a lobbyist shall file with the secretary of state a detailed report listing the amount of public funds paid to hire or

contract for the lobbying services on behalf of: (1) A governmental entity; or (2) any association of governmental entities that receive public funds. The report shall include a listing of the amount of public funds paid to hire or contract for the lobbying services of such lobbyist and which association of governmental entities that receive public funds hired such lobbyist on a form and in the manner prescribed and provided by the governmental ethics commission. Each report required to be filed by this section is a public record and shall be open to public inspection upon request. A report shall be filed on or before January 10, 2017, and on or before January 10 of each subsequent year for the reporting period containing the preceding calendar year.

(b) The reports filed with the secretary of state pursuant to subsection (a) shall be made available on a searchable public website by the secretary of state.

(c) As used in this section:

(1) "Governmental entity" has the meaning as defined in K.S.A. 75-6102, and amendments thereto.

(2) "Lobbying" has the meaning as defined in K.S.A. 46-225, and amendments thereto.

(3) "Public funds" means moneys appropriated by the state or any of its subdivisions.";

On page 2, following line 16, by inserting:

"Sec. 4. K.S.A. 2014 Supp. 25-4119f is hereby amended to read as follows: 25-4119f. (a) In addition to any other fee required by law, every person becoming a candidate for the following offices shall pay a fee at the time of filing for such office in the amount prescribed by this section:

- (1) Governor and lieutenant governor.....~~\$480~~ \$650;
- (2) state offices elected by statewide election, other than the governor and lieutenant governor.....~~\$480~~ \$650;

- (3) state senator, state representative, state board of education, district attorney, board of public utilities of the city of Kansas City and elected county offices. ~~\$35~~ \$50; and

- (4) members of boards of education of unified school districts having 35,000 or more pupils regularly enrolled in the preceding school year, members of governing bodies of cities of the first class and judges of the district court in judicial districts in which judges are elected.....~~\$35~~ \$50.

(b) The secretary of state shall remit all fees received by that office to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. County election officers receiving fees in accordance with this section shall remit such fees to the county treasurer of the county who shall quarterly remit the same to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the governmental ethics commission fee fund.

Sec. 5. K.S.A. 2014 Supp. 25-4145 is hereby amended to read as follows: 25-4145.

(a) Each party committee and each political committee which anticipates receiving contributions or making expenditures shall appoint a chairperson and a treasurer. The chairperson of each party committee and each political committee which anticipates

receiving contributions or making expenditures for a candidate for state office shall make a statement of organization and file it with the secretary of state not later than 10 days after establishment of such committee. The chairperson of each political committee which anticipates receiving contributions or making expenditures for any candidate for local office, shall make a statement of organization and file it with the county election officer not later than 10 days after establishment of such committee.

(b) Every statement of organization shall include:

(1) The name and address of the committee. The name of the committee shall reflect the full name of the organization with which the committee is connected or affiliated or sufficiently describe such affiliation. If the political committee is not connected or affiliated with any one organization, the name shall reflect the trade, profession or primary interest of the committee as reflected by the statement of purpose of such organization;

(2) the names and addresses of the chairperson and treasurer of the committee;

(3) the names and addresses of affiliated or connected organizations; and

(4) in the case of a political committee, the full name of the organization with which the committee is connected or affiliated or, name or description sufficiently describing the affiliation or, if the committee is not connected or affiliated with any one organization, the trade, profession or primary interest of the political committee as reflected by the statement of purpose of such organization.

(c) Any change in information previously reported in a statement of organization shall be reported on a supplemental statement of organization and filed not later than 10 days following the change.

(d) (1) Each political committee which anticipates receiving contributions shall register annually with the commission on or before July 1 of each year. Each political committee registration shall be in the form and contain such information as may be required by the commission.

(2) Each registration by a political committee anticipating the receipt of \$2,501 or more in any calendar year shall be accompanied by an annual registration fee of ~~\$240~~ \$300.

(3) Each registration by a political committee anticipating the receipt of more than \$500 but less than \$2,501 in any calendar year shall be accompanied by an annual registration fee of ~~\$35~~ \$50.

(4) Each registration by a political committee anticipating the receipt of \$500 or less in any calendar year shall be accompanied by an annual registration fee of ~~\$20~~ \$25.

(5) Any political committee which is currently registered under subsection (d)(3) or (d)(4) and which receives contributions in excess of \$2,500 for a calendar year, shall file, within three days of the date when contributions exceed such amount, an amended registration form which shall be accompanied by an additional fee for such year equal to the difference between ~~\$240~~ \$300 and the amount of the fee that accompanied the current registration.

(6) Any political committee which is currently registered under subsection (d)(4) and which receives contributions in excess of \$500 but which are less than \$2,501, shall file, within three days of the date when contributions exceed \$500, an amended registration form which shall be accompanied by an additional fee of ~~\$20~~ \$25 for such year.

(e) All such fees received by or for the commission shall be remitted to the state



treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the governmental ethics commission fee fund.";

On page 7, following line 25, by inserting:

"Sec. 12. K.S.A. 46-222 is hereby amended to read as follows: 46-222. (a) "Lobbyist" means: (1) Any person employed in considerable degree for lobbying; (2) any person formally appointed as the primary representative of an organization or other person to lobby in person on state-owned or leased property; or (3) any person who makes expenditures in an aggregate amount of ~~\$100~~ \$1,000 or more, exclusive of personal travel and subsistence expenses, in any calendar year for lobbying.

(b) "Lobbyist" shall not include: (1) Any state officer or employee engaged in carrying out the duties of their office; (2) the employer of a lobbyist, if such lobbyist has registered the name and address of such employer under K.S.A. 46-265, and amendments thereto; (3) any nonprofit organization which has qualified under ~~paragraph (3) of subsection (e) of section 501(c)(3) of the internal revenue code of 1954 1986~~, as amended, which is interstate in its operations and of which a primary purpose is the nonpartisan analysis, study or research of legislative procedures or practices and the dissemination of the results thereof to the public, irrespective of whether such organization may recommend a course of action as a result of such analysis, study or research; (4) any justice or commissioner of the supreme court or judge of the judicial branch or employee or officer of the judicial branch or, any member of a board, council or commission who is appointed by the supreme court or who is elected or appointed to exercise duties pertaining to functions of the judicial branch, when such person is engaged in performing a function or duty for the judicial branch; or (5) any appointed member of an advisory council, commission or board, who serves without compensation other than amounts for expense allowances or reimbursement of expenses as provided for in ~~subsection (e) of K.S.A. 75-3223(e)~~, and amendments thereto, when such member is engaged in performing a function or duty for such council, commission or board.

Sec. 13. K.S.A. 2014 Supp. 46-265 is hereby amended to read as follows: 46-265. (a) Every lobbyist shall register with the secretary of state by completing and signing a registration form prescribed and provided by the commission. Such registration shall show the name and address of the lobbyist, the name and address of the person compensating the lobbyist for lobbying, the purpose of the employment and the method of determining and computing the compensation of the lobbyist. If the lobbyist is compensated or to be compensated for lobbying by more than one employer or is to be engaged in more than one employment, the relevant facts listed above shall be stated separately for each employer and each employment. Whenever any new lobbying employment or lobbying position is accepted by a lobbyist already registered as provided in this section, such lobbyist shall report the same on forms prescribed and provided by the commission before engaging in any lobbying activity related to such new employment or position, and such report shall be filed with the secretary of state. When a lobbyist is an employee of a lobbying group or firm which contracts to lobby and not an owner or partner of such entity, the lobbyist shall report each client of the group, firm or entity whose interest the lobbyist represents. Whenever the lobbying of a lobbyist concerns a legislative matter, the secretary of state promptly shall transmit



copies of each registration and each report filed under this act to the secretary of the senate and the chief clerk of the house of representatives.

(b) On or after October 1, in any year any person may register as a lobbyist under this section for the succeeding calendar year. Such registration shall expire annually on December 31; of the year for which the lobbyist is registered. In any calendar year, before engaging in lobbying, persons to whom this section applies shall register or renew their registration as provided in this section. Except for employees of lobbying groups or firms, every person registering or renewing registration who anticipates spending \$1,000 or less for lobbying in such registration year on behalf of any one employer shall pay to the secretary of state a fee of ~~\$35~~ \$50 for lobbying for each such employer. Except for employees of lobbying groups or firms, every person registering or renewing registration who anticipates spending more than \$1,000 for lobbying in such registration year on behalf of any one employer shall pay to the secretary of state a fee of ~~\$300~~ \$350 for lobbying for such employer. Any lobbyist who at the time of initial registration anticipated spending less than \$1,000, on behalf of any one employer, but at a later date spends in excess of such amount, within three days of the date when expenditures exceed such amount, shall file an amended registration form which shall be accompanied by an additional fee of ~~\$220~~ \$300 for such year. Every person registering or renewing registration as a lobbyist who is an employee of a lobbying group or firm and not an owner or partner of such entity shall pay an annual fee of ~~\$360~~ \$450. The secretary of state shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the governmental ethics commission fee fund.

(c) Any person who has registered as a lobbyist pursuant to this act may file, upon termination of such person's lobbying activities, a statement terminating such person's registration as a lobbyist. Such statement shall be on a form prescribed by the commission and shall state the name and address of the lobbyist, the name and address of the person compensating the lobbyist for lobbying and the date of the termination of the lobbyist's lobbying activities.

(d) No person who has failed or refused to pay any civil penalty imposed pursuant to K.S.A. 46-280, and amendments thereto, shall be authorized or permitted to register as a lobbyist in accordance with this section until such penalty has been paid in full.;

On page 8, in line 7, after "right-of-way" by inserting "for city streets or county roads"; also in line 7, by striking "30-day" and inserting "45-day"; in line 8, by striking "seven-day" and inserting "two-day"; in line 9, after "election." by inserting "Cities and counties may regulate the size and a set-back distance for the placement of signs so as not to impede sight lines or sight distance for safety reasons."; in line 10, after "25-4173" by inserting ", 46-222"; in line 11, after "Supp." by inserting "25-4119f, 25-4145,"; also in line 11, by striking "and" and inserting a comma; in line 12, after "4169a" by inserting "and 46-265";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "campaign finance" and inserting "governmental ethics"; also in line 1, by striking ", contributor"; in line 2, after "lobbyist" by inserting "fees and"; in line 5, after "25-4173" by inserting ", 46-222"; also in line 5, after "Supp." by inserting "25-4119f, 25-4145,"; in line 6, by striking the

first "and" and inserting a comma; also in line 6, after "25-4169a" by inserting "and 46-265";

And your committee on conference recommends the adoption of this report.

MITCH HOLMES  
 STEVE FITZGERALD  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

MARK KAHRs  
 KEITH ESAU  
 TOM SAWYER  
*Conferees on part of House*

On motion of Rep. Esau, the conference committee report on **HB 2183** was adopted.

On roll call, the vote was: Yeas 66; Nays 48; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Anthimides, Ballard, Barton, Billinger, Bradford, Bruchman, Brunk, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Claeys, Corbet, Davis, DeGraaf, Dove, Esau, Estes, Garber, Goico, Grosserode, Hawkins, Hedke, Hemsley, Highberger, Highland, Hildabrand, Hoffman, Houser, Hutton, Johnson, D. Jones, K. Jones, Kelley, Kleeb, Lane, Lunn, Lusk, Macheers, Mason, McPherson, Merrick, O'Brien, Osterman, Peck, Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Seiwert, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Whitmer, Williams, Wilson.

Nays: Alford, Becker, Boldra, Bollier, Burroughs, Carlin, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Henderson, Henry, Hibbard, Hill, Hineman, Hutchins, Jennings, Kelly, Kuether, Lewis, Lusker, Mast, Moxley, Ousley, Patton, Pauls, Phillips, Proehl, Rooker, Ruiz, Schwartz, Sloan, Smith, Tietze, Trimmer, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Campbell, Edmonds, Houston, Huebert, Kahrs, Kiegerl, Schroeder, Thompson, Whipple.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Monday, June 1, 2015.

# Journal of the House

## SEVENTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, June 1, 2015, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 111 members present.

Reps. Ballard, Barker, Boldra, Bridges, Bruchman, Campbell, Edmonds, Highberger, Houston, Kahrs, Kelley, Mason, Peck and Swanson were excused on excused absence by the Speaker.

Present later: Reps. Bruchman, Highberger and Kelley.

Prayer by Chaplain Brubaker:

Lord God,  
 Thank You for the gift of this day,  
 Help us to not take it for granted,  
 but with Your help, make the most of it.  
 It amazes me how You, Creator God,  
 have created each and every one of us  
 so uniquely and differently,  
 and yet, have instructed us to  
 "...make every effort to keep the unity of the Spirit..."  
 I believe it is because You want us to recognize  
 that it is impossible for us to be unified on our own.  
 That is why Your Word teaches us to  
 trust in *You* with all *our* heart  
 and lean not on *our* own understanding;  
 but in all *our* ways acknowledge You  
 – which really means to submit to You –  
 and *You* will make our paths straight.  
 Like the persistent widow  
 who kept going to the judge demanding justice;  
 or the neighbor knocking on the door at midnight for bread,  
 again I come to You and ask that You  
 provide a solution that our leaders can unite on  
 that is of Your design and will.  
 In Your Son's Name I pray,  
 Amen.

The Pledge of Allegiance was led by Rep. Lewis.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 12** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as House Substitute for Senate Bill No. 12, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 4; following line 4, by inserting:

"Section 1. K.S.A. 59-29a01 is hereby amended to read as follows: 59-29a01. (a) The legislature finds that there exists an extremely dangerous group of sexually violent predators who have a mental abnormality or personality disorder and who are likely to engage in repeat acts of sexual violence if not treated for their mental abnormality or personality disorder. Because the existing civil commitment procedures under K.S.A. 59-2901 et seq., and amendments thereto, are inadequate to address the special needs of sexually violent predators and the risks they present to society, the legislature determines that a separate involuntary civil commitment process for the potentially long-term control, care and treatment of sexually violent predators is necessary. The legislature also determines that because of the nature of the mental abnormalities or personality disorders from which sexually violent predators suffer and the dangers they present, it is necessary to house involuntarily committed sexually violent predators in an environment separate from persons involuntarily committed under K.S.A. 59-2901 et seq., and amendments thereto.

(b) Notwithstanding any other evidence of legislative intent, it is hereby declared that any time requirements set forth in K.S.A. 59-29a01 et seq., and amendments thereto, either as originally enacted or as amended, are intended to be directory and not mandatory and serve as guidelines for conducting proceedings under K.S.A. 59-29a01 et seq., and amendments thereto.

(c) The provisions of K.S.A. 59-29a01 et seq. and amendments thereto, shall be known and may be cited as the Kansas sexually violent predator act.

Sec. 2. K.S.A. 59-29a03 is hereby amended to read as follows: 59-29a03. (a) When it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection ~~(d)~~ (f), 90 days prior to:

(1) The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of persons who are returned to prison for no more than 90 days as a result of revocation of postrelease supervision, written notice shall be given as soon as practicable following the person's readmission to prison;

(2) release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

(3) release of a person who has been found not guilty by reason of insanity of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

(4) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(b) The agency with jurisdiction shall inform the attorney general and the multidisciplinary team established in subsection ~~(d)~~ (f) of the following:

(1) The person's name, identifying factors, anticipated future residence and offense history; and

(2) documentation of institutional adjustment and any treatment received.

(c) Any reports of evaluations prepared or provided pursuant to subsection (b) shall demonstrate that the person evaluated was informed of the following: (1) The nature and purpose of the evaluation; and (2) that the evaluation will not be confidential and that any statements made by the person and any conclusions drawn by the evaluator may be disclosed to a court, the detained person's attorney, the prosecutor and the trier of fact at any proceeding conducted under the Kansas sexually violent predator act.

(d) The permitted disclosures required to be submitted to the attorney general under this section shall be deemed to be in response to the attorney general's civil demand for relevant and material information to investigate whether a petition shall be filed. The information provided shall be specific to the purposes of the Kansas sexually violent predator act and as limited in scope as reasonably practicable.

~~(e)~~ (e) The agency with jurisdiction, its employees, officials, members of the multidisciplinary team established in subsection ~~(d)~~ (f), members of the prosecutor's review committee appointed as provided in subsection ~~(e)~~ (g) and individuals contracting, appointed or volunteering to perform services hereunder shall be immune from liability for any good-faith conduct under this section.

~~(f)~~ (f) The secretary of corrections shall establish a multidisciplinary team which may include individuals from other state agencies to review available records of each person referred to such team pursuant to subsection (a). The team shall include the mental health professional who prepared any evaluation, interviewed the person or made any recommendation to the attorney general. The team, ~~within 30 days of receiving notice,~~ shall assess whether or not the person meets the definition of a sexually violent predator, as established in K.S.A. 59-29a02, and amendments thereto. The team shall notify the attorney general of its assessment.

~~(g)~~ (g) The attorney general shall appoint a prosecutor's review committee to review the records of each person referred to the attorney general pursuant to subsection (a). The prosecutor's review committee shall assist the attorney general in the determination of whether or not the person meets the definition of a sexually violent predator. The assessment of the multidisciplinary team shall be made available to the attorney general and the prosecutor's review committee.

~~(h)~~ (h) The provisions of this section are not jurisdictional and failure to comply with such provisions not affecting constitutional rights in no way prevents the attorney general from proceeding against a person otherwise subject to the ~~provision of K.S.A. 59-29a01 et seq. and amendments thereto~~ provisions of the Kansas sexually violent predator act.

Sec. 3. K.S.A. 2014 Supp. 59-29a04 is hereby amended to read as follows: 59-29a04. (a) ~~When it appears that the person presently confined may be a sexually violent predator and the prosecutor's review committee, appointed as provided in subsection (e)~~

of K.S.A. 59-29a03(g), and amendments thereto, has determined that the person meets the definition of a sexually violent predator, the attorney general, within 75 days of the date the attorney general received the written notice ~~by the agency of jurisdiction as provided in subsection (a) of K.S.A. 59-29a03(a), and amendments thereto,~~ may file a petition in the county where the person was convicted of or charged with a sexually violent offense alleging that the person is a sexually violent predator and stating sufficient facts to support such allegation.

~~(b) Notwithstanding the provisions of subsection (a), when the person named in the petition is a person who has been convicted of or charged with a federal or other state offense that under the laws of this state would be a sexually violent offense, as defined in K.S.A. 59-29a02, and amendments thereto, the attorney general may file the petition in the county where the person now resides, was charged or convicted of any offense, or was released.~~

~~(c) Service of the petition on the attorney appointed or hired to represent the person shall be deemed sufficient service.~~

~~(b) (d) The provisions of this section are not jurisdictional, and failure to comply with such provisions not affecting constitutional rights in no way prevents the attorney general from proceeding against a person otherwise subject to the ~~provision of K.S.A. 59-29a01 et seq., and amendments thereto~~ provisions of the Kansas sexually violent predator act.~~

~~(e) (e) Whenever a determination is made regarding whether a person may be a sexually violent predator, the county responsible for the costs incurred, including, but not limited to, costs of investigation, prosecution, defense, juries, witness fees and expenses, expert fees and expenses and other expenses related to determining whether a person may be a sexually violent predator, shall be reimbursed for such costs by the office of the attorney general from the sexually violent predator expense fund. The attorney general shall develop and implement a procedure to provide such reimbursements. If there are no moneys available in such fund to pay any such reimbursements, the county may file a claim against the state pursuant to article 9 of chapter 46, of the Kansas Statutes Annotated, and amendments thereto.~~

~~(f) The person against whom a petition is filed shall be responsible for the costs of the medical care and treatment provided or made accessible by the governmental entity having custody, and the governmental entity having custody may seek reimbursement from the person against whom a petition has been filed for such costs.~~

~~(g) Pre-commitment proceedings, post-commitment proceedings, including conditional release and final discharge and other court proceedings are civil in nature. Such proceedings shall follow the procedures set forth in chapter 60 of the Kansas Statutes Annotated, and amendments thereto, except as expressly provided elsewhere in the Kansas sexually violent predator act.~~

Sec. 4. K.S.A. 2014 Supp. 59-29a04a is hereby amended to read as follows: 59-29a04a. (a) There is hereby created in the state treasury the sexually violent predator expense fund which shall be administered by the attorney general. All moneys credited to such fund shall be used to reimburse counties under:

(1) K.S.A. 59-29a04, and amendments thereto, responsible for the costs related to determining whether a person may be a sexually violent predator; and

(2) K.S.A. 2014 Supp. 59-29a23, and amendments thereto, for the costs related to a person filing a petition pursuant to K.S.A. 60-1501 et seq., and amendments thereto;

civil action relating to the civil commitment pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto~~ the Kansas sexually violent predator act.

(b) All expenditures from the sexually violent predator expense fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or the attorney general's designee.

Sec. 5. K.S.A. 2014 Supp. 59-29a05 is hereby amended to read as follows: 59-29a05. (a) Upon filing of a petition under K.S.A. 59-29a04, and amendments thereto, the judge shall determine whether probable cause exists to believe that the person named in the petition is a sexually violent predator. If such determination is made, the judge shall:

(1) Direct that person be taken into custody and detained in the county jail until such time as a determination is made that the person is a sexually violent predator subject to commitment under the Kansas sexually violent predator act; and

(2) file a protective order permitting disclosures of protected health information to the parties, their counsel, evaluators, experts and others necessary to the litigation during the course of the proceedings subject to the Kansas sexually violent predator act.

(b) Within 72 hours after a person is taken into custody pursuant to subsection (a), or as soon as reasonably practicable or agreed upon by the parties, such person shall be provided with notice of, and an opportunity to appear in person at, a hearing to contest probable cause as to whether the detained person is a sexually violent predator. At this hearing the court shall: (1) Verify the detainer's identity; and (2) determine whether probable cause exists to believe that the person is a sexually violent predator. The state may rely upon the petition and supplement the petition with additional documentary evidence or live testimony.

(c) At the probable cause hearing as provided in subsection (b), the detained person shall have the following rights in addition to the rights previously specified: (1) To be represented by counsel; (2) to present evidence on such person's behalf; (3) to cross-examine witnesses who testify against such person; and (4) to view and copy all petitions and reports in the court file.

(d) If the probable cause determination is made, the court shall order that the person be transferred to an appropriate secure facility, including, but not limited to, a county jail, for an evaluation as to whether the person is a sexually violent predator. The evaluation ordered by the court shall be conducted by a person deemed to be professionally qualified to conduct such an examination.

(e) The person conducting the evaluation ordered by the court pursuant to this section shall notify the detained person of the following: (1) The nature and purpose of the evaluation; and (2) that the evaluation will not be confidential and that any statements made by the detained person and any conclusions drawn by the evaluator, will be disclosed to the court, the detained person's attorney, the prosecutor and the trier of fact at any proceeding conducted under ~~K.S.A. 59-29a01 et seq. and amendments thereto~~ the Kansas sexually violent predator act.

Sec. 6. K.S.A. 2014 Supp. 59-29a06 is hereby amended to read as follows: 59-29a06. (a) Within 60 days after the completion of any hearing held pursuant to K.S.A. 59-29a05, and amendments thereto, the court shall conduct a trial set the matter for a pretrial conference to establish a mutually agreeable date for trial to determine whether the person is a sexually violent predator. The trial may be continued upon the request of

either party and a showing of good cause, or by the court on its own motion in the due administration of justice and when the respondent will not be substantially prejudiced.

~~(b) At all stages of the proceedings under K.S.A. 59-29a01 et seq., and amendments thereto, any person subject to K.S.A. 59-29a01 et seq., and amendments thereto, In proceedings under this section, the person shall be entitled to the assistance of counsel and an independent examination pursuant to K.S.A. 60-235, and amendments thereto, and if the person is indigent, the court shall appoint counsel to assist such person. Whenever any person is subjected to an examination under K.S.A. 59-29a01 et seq., and amendments thereto, such person may retain experts or professional persons to perform an examination of such person's behalf. When the person wishes to be examined by a qualified expert or professional person of such person's own choice, such pursuant to K.S.A. 60-235, and amendments thereto, the examiner shall be permitted to have reasonable access to the person for the purpose of such examination, as well as to all relevant medical and psychological records and reports. In the case of a person who is indigent, the court, upon the person's request, shall determine whether the services are necessary and reasonable compensation for such services. If the court determines that the services are necessary and the expert or professional person's examiner's requested compensation for such services is reasonable, the court shall assist the person in obtaining an expert or professional person examiner to perform an examination or participate in the trial on the person's behalf. The court shall approve payment for such services upon the filing of a certified claim for compensation supported by a written statement specifying the time expended, services rendered, expenses incurred on behalf of the person and compensation received in the same case or for the same services from any other source.~~

(c) Notwithstanding K.S.A. 60-456, and amendments thereto, at any proceeding conducted under ~~K.S.A. 59-29a01 et seq., and amendments thereto~~ the Kansas sexually violent predator act, the parties shall be permitted to call expert witnesses. The facts or data in the particular case upon which an expert bases an opinion or inference may be those perceived by or made known to the expert at or before the hearing. If the facts or data are of a type reasonably relied upon by experts in the particular field in forming opinions or inferences upon the subject, such facts and data need not be admissible in evidence in order for the opinion or inference to be admitted.

(d) The person, the attorney general, or the judge shall have the right to demand that the trial be before a jury. Such demand for the trial to be before a jury shall be filed, in writing, at least four days prior to trial. Number and selection of jurors shall be determined as provided in K.S.A. 22-3403, and amendments thereto. If no demand is made, the trial shall be before the court.

(e) A jury shall consist of 12 jurors unless the parties agree in writing with the approval of the court that the jury shall consist of any number of jurors less than 12 jurors. The person and the attorney general shall each have eight peremptory challenges, or in the case of a jury of less than 12 jurors, a proportionally equal number of peremptory challenges.

~~(f) The provisions of this section are not jurisdictional and failure to comply with such provisions in no way prevents the attorney general from proceeding against a person otherwise subject to the provision of K.S.A. 59-29a01 et seq. and amendments thereto. Notwithstanding any other provision of law to the contrary, the provisions of this section relating to jury trials shall not apply to proceedings for annual review or~~



proceedings on a petition for transitional release, conditional release or final discharge.

Sec. 7. K.S.A. 2014 Supp. 59-29a07 is hereby amended to read as follows: 59-29a07. (a) The court or jury shall determine whether, beyond a reasonable doubt, the person is a sexually violent predator. If such determination that the person is a sexually violent predator is made by a jury, such determination shall be by unanimous verdict of such jury. Such determination may be appealed in the manner provided for civil cases in article 21 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto. If the court or jury determines that the person is a sexually violent predator, the person shall be committed to the custody of the secretary for aging and disability services for control, care and treatment until such time as the person's mental abnormality or personality disorder has so changed that the person is safe to be at large. Such control, care and treatment shall be provided at a facility operated by the Kansas department for aging and disability services.

(b) At all times, persons committed for control, care and treatment by the Kansas department for aging and disability services pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act shall be kept in a secure facility and such persons shall be segregated ~~at all times on different units~~ from any other patient under the supervision of the secretary for aging and disability services and commencing June 1, 1995, such persons committed pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act shall be kept in a facility or building separate from any other patient under the supervision of the secretary. The provisions of this subsection shall apply to any facility or building utilized in any transitional release program or conditional release program.

(c) The Kansas department for aging and disability services is authorized to enter into an interagency agreement with the department of corrections for the confinement of such persons. Such persons who are in the confinement of the secretary of corrections pursuant to an interagency agreement shall be housed and managed separately from offenders in the custody of the secretary of corrections, and except for occasional instances of supervised incidental contact, shall be segregated from such offenders.

(d) If any person while committed to the custody of the secretary pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act shall be taken into custody by any law enforcement officer as defined in K.S.A. 2014 Supp. 21-5111, and amendments thereto, pursuant to any parole revocation proceeding or any arrest or conviction for a criminal offense of any nature, upon the person's release from the custody of any law enforcement officer, the person shall be returned to the custody of the secretary for further treatment pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto~~ the Kansas sexually violent predator act. During any such period of time a person is not in the actual custody or supervision of the secretary, the secretary shall be excused from the provisions of K.S.A. 59-29a08, and amendments thereto, with regard to providing that person an annual examination, annual notice and annual report to the court, except that the secretary shall give notice to the court as soon as reasonably possible after the taking of the person into custody that the person is no longer in treatment pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act and notice to the court when the person is returned to the custody of the secretary for further treatment.

(e) If the court or jury is not satisfied beyond a reasonable doubt that the person is a sexually violent predator, the court shall direct the person's release.

(f) Upon a mistrial, the court shall direct that the person be held at an appropriate secure facility, including, but not limited to, a county jail, until another trial is conducted. Any subsequent trial following a mistrial shall be held within 90 days of the previous trial, unless such subsequent trial is continued as provided in K.S.A. 59-29a06, and amendments thereto.

(g) If the person charged with a sexually violent offense has been found incompetent to stand trial and is about to be released pursuant to K.S.A. 22-3305 and amendments thereto and such person's commitment is sought pursuant to subsection (a), the court shall first hear evidence and determine whether the person did commit the act or acts charged. The hearing on this issue must comply with all the procedures specified in this section. In addition, the rules of evidence applicable in criminal cases shall apply and all constitutional rights available to defendants at criminal trials, other than the right not to be tried while incompetent, shall apply. After hearing evidence on this issue, the court shall make specific findings on whether the person did commit the act or acts charged, the extent to which the person's incompetence or developmental disability affected the outcome of the hearing, including its effect on the person's ability to consult with and assist counsel and to testify on such person's own behalf, the extent to which the evidence could be reconstructed without the assistance of the person and the strength of the prosecution's case. If after the conclusion of the hearing on this issue, the court finds, beyond a reasonable doubt, that the person did commit the act or acts charged, the court shall enter a final order, appealable by the person, on that issue and may proceed to consider whether the person should be committed pursuant to this section.

Sec. 8. K.S.A. 2014 Supp. 59-29a08 is hereby amended to read as follows: 59-29a08. (a) Each person committed under ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act shall have a current examination of the person's mental condition made once every year. The secretary shall provide the committed person with an annual written notice of the person's right to petition the court for release over the secretary's objection. The notice shall contain a waiver of rights. The secretary shall also forward the annual report, as well as the annual notice and waiver form, to the court that committed the person under ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act. The person may retain, or if the person is indigent and so requests the court may appoint a qualified professional person to examine such person, and such expert or professional person shall have access to all records concerning the person. The court that committed the person under ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act shall then conduct an annual review of the status of the committed person's mental condition. The committed person shall have a right to have an attorney represent the person at the hearing but the person is not entitled to be present at the hearing.

(b) Nothing contained in ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ the Kansas sexually violent predator act shall prohibit the person in conditional release from otherwise petitioning the court for discharge ~~at this~~ the annual review hearing.

(c) (+) If the court at the annual review hearing determines that probable cause exists to believe that the person's mental abnormality or personality disorder has so changed that the person is safe to be placed in transitional release, then the court shall set a hearing on the issue.

~~(2) The court may order and hold a hearing when:~~

~~(A) There is current evidence from an expert or professional person that an identified physiological change to the committed person, such as paralysis, stroke or dementia, that renders the committed person unable to commit a sexually violent offense and this change is permanent; and~~

~~(B) the evidence presents a change in condition since the person's last hearing.~~

~~(3) At either hearing,~~ The committed person shall be entitled to be present and entitled to the benefit of all constitutional protections that were afforded the person at ~~the initial commitment proceeding~~ pursuant to K.S.A. 59-29a06, and amendments thereto. The attorney general shall represent the state and shall have a right ~~to a jury trial~~ and to have the committed person evaluated by experts chosen by the state. The committed person shall also have the right to have experts evaluate the person on the person's behalf and the court shall appoint an expert if the person is indigent and requests an appointment. The burden of proof at ~~either hearing~~ the hearing for transitional release shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality or personality disorder remains such that the person is not safe to be placed in transitional release and if transitionally released is likely to engage in acts of sexual violence.

(d) If, after the hearing, the court ~~or jury~~ is convinced beyond a reasonable doubt that the person is not appropriate for transitional release, the court shall order that the person remain in secure commitment. Otherwise, the court shall order that the person be placed in transitional release.

(e) If the court determines that the person should be placed in transitional release, the secretary shall transfer the person to the transitional release program. The secretary may contract for services to be provided in the transitional release program. During any period the person is in transitional release, that person shall comply with any rules or regulations the secretary may establish for this program and every directive of the treatment staff of the transitional release program.

(f) At any time during which the person is in the transitional release program and the treatment staff determines that the person has violated any rule, regulation or directive associated with the transitional release program, the treatment staff may remove the person from the transitional release program and return the person to the secure commitment facility, or may request the district court to issue an emergency ex parte order directing any law enforcement officer to take the person into custody and return the person to the secure commitment facility. Any such request may be made verbally or by telephone, but shall be followed in written, facsimile or electronic form delivered to the court by not later than 5:00 p.m. of the first day the district court is open for the transaction of business after the verbal or telephonic request was made.

(g) Upon the person being returned to the secure commitment facility from the transitional release program, notice thereof shall be given by the secretary to the court. The court shall set the matter for a hearing within two working days of receipt of notice of the person's having been returned to the secure commitment facility and cause notice thereof to be given to the attorney general, the person and the secretary. The attorney general shall have the burden of proof to show probable cause that the person violated conditions of transitional release. The hearing shall be to the court. At the conclusion of the hearing the court shall issue an order returning the person to the secure commitment facility or to the transitional release program, and may order such other further

conditions with which the person must comply if the person is returned to the transitional release program.

Sec. 9. K.S.A. 59-29a10 is hereby amended to read as follows: 59-29a10. (a) If the secretary determines that the person's mental abnormality or personality disorder has so changed that the person is not likely to engage in repeat acts of sexual violence if placed in transitional release, the secretary shall authorize the person to petition the court for transitional release. The petition shall be served upon the court and the attorney general. The court, upon receipt ~~service~~ of the petition for transitional release, shall ~~order~~ issue notice of a hearing to be scheduled within 30 days. The attorney general shall represent the state, and shall have the right to have the petitioner examined by an expert or professional person of such attorney's choice. ~~The hearing shall be before a jury if demanded by either the petitioner or the attorney general.~~ The burden of proof shall be upon the attorney general to show beyond a reasonable doubt that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and that if placed in transitional release is likely to engage in repeat acts of sexual violence.

(b) If, after the hearing, the court is convinced beyond a reasonable doubt that the person is not ~~appropriate for~~ sufficiently safe to warrant transitional release, the court shall order that the person remain in secure commitment. Otherwise, the court shall order that the person be placed in transitional release.

(c) The provisions of ~~subsections (e), (f) and (g)~~ of K.S.A. 59-29a08 ~~(e), (f) and (g)~~, and amendments thereto, shall apply to a transitional release pursuant to this section.

Sec. 10. K.S.A. 2014 Supp. 59-29a11 is hereby amended to read as follows: 59-29a11. (a) ~~Nothing in this act shall prohibit a person from filing a petition for transitional release, conditional release or final discharge pursuant to this act. However, If a person has previously filed a petition for transitional release, conditional release or final discharge without the secretary for aging and disability services approval and the court determined either upon review of the petition or following a hearing, that the petitioner's person's petition was frivolous or that the petitioner's person's condition had not so changed that the person was safe significantly changed so that it is safe for the person to be at large, then the court shall deny the subsequent petition, unless the petition contains facts upon which a court could find the condition of the petitioner had so changed significantly changed so that a hearing was warranted. Upon receipt of a first or subsequent petition from committed persons without the secretary's approval, the court shall endeavor whenever possible to review the petition and determine if the petition is based upon frivolous grounds and if so shall deny the petition without a hearing.~~

(b) No transitional release or conditional release facility or building shall be located within 2,000 feet of a licensed child care facility, an established place of worship, any residence in which a child under 18 years of age resides, or the real property of any school upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any grades one through 12. This subsection shall not apply to any state institution or facility.

(c) Transitional release or conditional release facilities or buildings shall be subject to all regulations applicable to other property and buildings located in the zone or area that are imposed by any municipality through zoning ordinance, resolution or

regulation, such municipality's building regulatory codes, subdivision regulations or other nondiscriminatory regulations.

(d) On and after ~~January 1, 2009~~ July 1, 2015, the secretary for aging and disability services shall place no more than ~~eight~~ 16 sexually violent predators in any one county on transitional release or conditional release.

(e) The secretary for aging and disability services shall submit an annual report to the governor and the legislature during the first week of the regular legislative session detailing activities related to the transitional release and conditional release of sexually violent predators. The report shall include the status of such predators who have been placed in transitional release or conditional release including the number of any such predators and their locations; information regarding the number of predators who have been returned to the sexually violent predator treatment program at Larned state hospital along with the reasons for such return; and any plans for the development of additional transitional release or conditional release facilities.

Sec. 11. K.S.A. 2014 Supp. 59-29a22 is hereby amended to read as follows: 59-29a22. (a) As used in this section:

(1) "Patient Person" means any individual:

(A) Who is receiving services for mental illness and who is admitted, detained, committed, transferred or placed in the custody of the secretary for aging and disability services under the authority of K.S.A. 22-3219, 22-3302, 22-3303, 22-3428a, 22-3429, 22-3430, 59-29a05, 75-5209 and 76-1306, and amendments thereto.

(B) In the custody of the secretary for aging and disability services after being found a sexually violent predator pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto~~ the Kansas sexually violent predator act, including any sexually violent predator placed on transitional release.

(2) "Restraints" means the application of any devices, other than human force alone, to any part of the body of the patient person for the purpose of preventing the patient person from causing injury to self or others.

(3) "Seclusion" means the placement of a patient person, alone, in a room, where the patient's person's freedom to leave is restricted and where the patient person is not under continuous observation.

(4) "Emergency lockdown" means a safety measure used to isolate all or a designated number of persons greater than one to their rooms for a period necessary to ensure a safe and secure environment.

(5) "Individual person management plan" means a safety measure used to isolate an individual person when the person presents a safety or security risk that cannot be addressed through routine psychiatric methods.

(b) Each patient person shall have the following statutory rights:

(1) Upon admission or commitment, to be informed orally and in writing of the patient's person's rights under this section. Copies of this section shall be posted conspicuously in each patient area facility, and shall be available to the patient's person's guardian and immediate family.

(2) ~~The right~~ To refuse to perform labor which is of financial benefit to the facility in which the patient person is receiving treatment or service. Privileges or release from the facility may not be conditioned upon the performance of any labor which is regulated by this subsection. Tasks of a personal housekeeping nature are not considered compensable labor. ~~Patients~~ A person may voluntarily engage in therapeutic

labor which is of financial benefit to the facility if such labor is compensated in accordance with a plan approved by the department and if:

(A) The ~~specific~~ labor is an integrated part of the ~~patient's~~ person's treatment plan approved as a therapeutic activity by the professional staff member responsible for supervising the patient's treatment;

(B) the labor is supervised by a staff member who is qualified to oversee the therapeutic aspects of the activity;

(C) the ~~patient~~ person has given written informed consent to engage in such labor and has been informed that such consent may be withdrawn at any time; and

(D) the labor involved is evaluated for its appropriateness by the staff of the facility at least once every ~~120~~ 180 days.

(3) ~~A right~~ To receive ~~prompt and adequate treatment, rehabilitation and educational services~~ appropriate for such ~~patient's~~ person's condition, within the limits of available state and federal funds.

(4) ~~Have the right~~ To be informed of such ~~patient's~~ person's treatment and care and to participate in the planning of such treatment and care.

(5) ~~Have the following rights, under the following procedures, to refuse medication and treatment:~~

(A) ~~Have the right~~ To refuse all medication and treatment except as ordered by a court or in a situation in which the medication or treatment is necessary to prevent serious physical harm to the patient or to others. Except when medication or medical treatment has been ordered by the court or is necessary to prevent serious physical harm to others as evidenced by a recent overt act, attempt or threat to do such harm, a patient may refuse medications and medical treatment if the patient is a member of a recognized religious organization and the religious tenets of such organization prohibit such medications and treatment.

(5) To refuse to consent to the administration of any medication prescribed for medical or psychiatric treatment, except in a situation in which the person is in a mental health crisis and less restrictive or intrusive measures have proven to be inadequate or clinically inappropriate. Treatment for a mental health crisis shall include medication or treatment necessary to prevent serious physical harm to the person or to others. After full explanation of the benefits and risks of such medication, the medication may be administered over the person's objection, except that the objection shall be recorded in the person's medical record and at the same time written notice thereof shall be forwarded to the medical director of the treatment facility or the director's designee. Within five days after receiving such notice, excluding Saturdays, Sundays and legal holidays, the medical director or designee shall deliver to the person's medical provider the medical director's or designee's written decision concerning the administration of that medication, and a copy of that decision shall be placed in the person's medical record.

~~(B)-(A)~~ Medication may not be used as punishment, for the convenience of staff, as a substitute for a treatment program; or in quantities that interfere with a ~~patient's~~ person's treatment program.

~~(C)-(B)~~ Patients ~~A person~~ will have the right to have explained the nature of all medications prescribed, the reason for the prescription and the most common side effects and, if requested, the nature of any other treatments ordered.

(6) ~~Except as provided in paragraph (2), have a right to be free from physical~~

~~restraint and seclusion. To be subjected to restraint, seclusion, emergency lockdown, individual person management plan, or any combination thereof, only as provided in this subsection.~~

~~(A) Restraints or seclusion shall not be applied to a patient unless, or both, may be used in the following circumstances:~~

~~(i) If it is determined by the superintendent of the treatment facility or a physician or licensed psychologist medical staff to be necessary to prevent immediate substantial bodily injury to the patient person or others and that other alternative methods to prevent such injury are not sufficient to accomplish this purpose. Restraint or seclusion shall never be used as a punishment or for the convenience of staff. When used, the extent of the restraint or seclusion applied to the patient person shall be the least restrictive measure necessary to prevent such injury to the patient person or others, and the use of restraint or seclusion in a treatment facility shall not exceed three hours without medical reevaluation. When restraints or seclusion are applied, there shall be monitoring of the patient's person's condition at a frequency determined by the treating physician or licensed psychologist, which shall be no less than once per each 45 30 minutes. The superintendent of the treatment facility or a physician or licensed psychologist shall sign a statement explaining the treatment necessity for the use of any restraint or seclusion and shall make such statement a part of the permanent treatment record of the patient person.~~

~~(ii) For security reasons during transport to or from the person's unit, including, but not limited to, transport to another treatment or health care facility, another secure facility or court. Any person committed or transferred to a hospital or other health care facility for medical care may be isolated for security reasons within a locked area.~~

~~(B) The provisions of clause (A) shall not prevent Emergency lockdown may be used in the following circumstances:~~

~~(i) The use of seclusion as part of a treatment methodology that calls for time out when the patient is refusing to participate in a treatment or has become disruptive of a treatment process.~~

~~(ii) Patients may be restrained for security reasons during transport to or from the patient's building, including transport to another treatment facility. Any patient committed or transferred to a hospital or other health care facility for medical care may be isolated for security reasons within locked facilities in the hospital.~~

~~(iii) Patients may be locked or restricted in such patient's room during the night shift, if such patient resides in a unit in which each room is equipped with a toilet and sink or if the patients who do not have toilets in the rooms shall be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated.~~

~~(iv) Patients may be locked in such patient's room for a period of time no longer than one hour during each change of shift by staff to permit staff review of patient needs.~~

~~(v)(i) Patients may also be locked in such patient's room on a unit-wide or facility-wide basis. When necessary as an emergency measure as needed for security purposes, to deal with an escape or attempted escape, the discovery of a dangerous weapon or explosive device in the unit or facility or the receipt of reliable information that a dangerous weapon or explosive device is in the unit or facility, or to prevent or control a riot or the taking of a hostage or for the discovery of contraband or a unit-wide search. A unit-wide or facility-wide emergency isolation An emergency lockdown order may~~



~~only be authorized only by the superintendent of the facility where the order is applicable or the superintendent's designee. A unit-wide or facility-wide emergency isolation order shall be approved within one hour after it is authorized by the superintendent or the superintendent's designee.~~

(ii) During a period of emergency lockdown, the status of each person shall be reviewed every 30 minutes to ensure the safety of the person, and each person who is locked in a room without a toilet shall be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated.

(iii) The facility shall have a written policy covering the use of emergency lockdown that ensures the safety of the individual is secured and that there is regular, frequent monitoring by trained staff to care for bodily needs as may be required.

~~(iv) An emergency order for unit-wide or facility-wide isolation lockdown order may only be in effect for the period of time needed to preserve order while dealing with the situation and may not be used as a substitute for adequate staffing. During a period of unit-wide or facility-wide isolation, the status of each patient shall be reviewed every 30 minutes to ensure the safety and comfort of the patient, and each patient who is locked in a room without a toilet shall be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated. The facility shall have a written policy covering the use of isolation that ensures that the dignity of the individual is protected, that the safety of the individual is secured, and that there is regular, frequent monitoring by trained staff to care for bodily needs as may be required.~~

~~(vi) Individual patients who are referred by the court or correctional facilities for criminal evaluations may be placed in administrative confinement for security reasons and to maintain proper institutional management when treatment cannot be addressed through routine psychiatric methods. Administrative confinement of individuals shall be limited to only patients that demonstrate or threaten substantial injury to other patients or staff and when there are no clinical interventions available that will be effective to maintain a safe and therapeutic environment for both patients and staff. Administrative confinement shall not be used for any patient who is actively psychotic or likely to be psychologically harmed. The status of each patient shall be reviewed every 15 minutes to ensure the safety and comfort of the patient. The patient shall be afforded all patient rights including being offered a minimum of one hour of supervised opportunity for personal hygiene, exercise and to meet other personal needs.~~

(C) Individual person management plan may be used in any of the following situations:

(i) As needed when a person demonstrates or threatens substantial injury to others, and routine psychiatric methods have been ineffective or are unlikely to be effective in reducing such risk.

(ii) As needed for safety or security purposes, to deal with an escape or attempted escape, the discovery of a dangerous weapon or explosive device in the unit or facility or the receipt of reliable information that a dangerous weapon or explosive device is in the unit or facility, to prevent or control a riot or the taking of a hostage or for the discovery of contraband.

(iii) The status of the person shall be reviewed every 30 minutes to ensure the safety of the person.

(D) Restraint, seclusion, emergency lockdown, individual person management plan, or any combination thereof, may be used in any other situation deemed necessary.



by treatment staff for the safety of a person or persons, facility staff or visitors. In all situations, restraint, seclusion, emergency lockdown, or individual person management plan shall never be used as a punishment or for the convenience of staff.

(E) A person may be locked or restricted in such person's room during the night shift if such person resides in a unit in which each room is equipped with a toilet and sink or, if a person does not have a toilet in the room, if such person is given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated.

(7) ~~The right not to~~ not be subject to such procedures as psychosurgery, electroshock therapy, experimental medication, aversion therapy or hazardous treatment procedures without the written consent of the ~~patient person~~ or the written consent of a parent or legal guardian, if such ~~patient person~~ is a minor or has a legal guardian provided that the guardian has obtained authority to consent to such from the court which has venue over the guardianship following a hearing held for that purpose.

(8) ~~The right to~~ individual religious worship within the facility if the ~~patient person~~ desires such an opportunity, as long as it complies with applicable laws and facility rules and policies. The provisions for worship shall be available to all ~~patients persons~~ on a nondiscriminatory basis. No individual may be coerced into engaging in any religious activities.

(9) ~~A right to~~ a humane psychological and physical environment within the hospital facilities. All facilities shall be designed to afford patients with comfort and safety, to promote dignity and ensure privacy. Facilities shall also be designed to make a positive contribution to the effective attainment of the treatment goals of the hospital.

(10) ~~The right to~~ confidentiality of all treatment records; and, as permitted by other applicable state or federal laws, ~~have the right to inspect and to, upon receipt of payment of reasonable costs, to~~ receive a copy of such records. The head of any treatment facility or designee who has the records may refuse to disclose portions of such records if the head of the treatment facility or designee states in writing that such disclosure will likely be injurious to the welfare of the person.

(11) Except as otherwise provided, ~~have a right to~~ not be filmed or taped, unless the ~~patient person~~ signs an informed and voluntary consent that specifically authorizes a named individual or group to film or tape the ~~patient person~~ for a particular purpose or project during a specified time period. The ~~patient person~~ may specify in such consent periods during which, or situations in which, the ~~patient person~~ may not be filmed or taped. If a ~~patient person~~ is legally incompetent, such consent shall be granted on behalf of the ~~patient person~~ by the ~~patient's person's~~ guardian. A ~~patient person~~ may be filmed or taped for security purposes without the ~~patient's person's~~ consent.

(12) ~~The right to~~ be informed in writing upon or at a reasonable time after admission, of any liability that the patient or any of the patient's relatives may have for the cost of the patient's care and treatment and of the right to receive information about charges for care and treatment services.

(13) ~~The right to~~ be treated with respect and recognition of the patient's dignity and individuality by all employees of the treatment facility.

(14) ~~Patients have an unrestricted right to~~ send sealed mail and receive sealed mail to or from legal counsel, the courts, the secretary for aging and disability services, the superintendent of the treatment facility, the agency designated as the developmental disabilities protection and advocacy agency pursuant to P.L. 94-103, as amended,

private physicians and licensed psychologists, ~~and~~. A person who is indigent may have reasonable access to letter-writing materials.

~~(15) The right as specified under clause (A) to send and receive sealed mail, subject to the limitations specified under clause (B):~~

~~(A) A patient shall also have a right to send sealed mail and receive sealed mail to or from other persons, subject to physical examination in the patient's presence if there is reason to believe that such communication contains contraband materials or objects that threaten the security of patients or staff. The officers and staff of a facility may not read any mail covered by this clause.~~

~~(B) The above rights to send and receive sealed and confidential mail are subject to the following limitations:~~

(15) To send and receive mail with reasonable limitations. A person's mail is subject to physical examination and inspection for contraband, as defined by facility rules and policies.

~~(i)(A) An officer or employee of the facility at which the patient person is placed may delay delivery of the mail to the patient person for a reasonable period of time to verify whether the mail contains contraband, as defined by facility rules and policies, or whether the person named as the sender actually sent the mail; may open the mail and inspect it for contraband outside the presence of the patient; or may, if the officer or staff member cannot determine whether the mail contains contraband, return the mail to the sender along with notice of the facility mail policy. If contraband is found, such contraband may be returned to the sender or confiscated by the facility. If the officer or staff member cannot determine whether the person named as the sender actually sent the mail, the officer or staff member may return the mail to the sender along with notice of the facility mail policy.~~

~~(ii)(B) The superintendent of the facility or the superintendent's designee may, in accordance with the standards and the procedure under subsection (c) for denying a right for cause, authorize a member of the facility treatment staff to read the mail, if the superintendent or the superintendent's designee has reason to believe that the mail could pose a threat to security at the facility or seriously interfere with the treatment, rights, or safety of the patient person or others.~~

~~(iii) Residents may be restricted in receiving in the mail items deemed to be pornographic, offensive or which is deemed to jeopardize their individual treatment or that of others.~~

(C) A person may not receive through the mail any sexually explicit materials, items that are considered contraband, as defined by facility rules and policies, or items deemed to jeopardize the person's individual treatment, another person's treatment or the therapeutic environment of the facility.

(16) Reasonable access to a telephone to make and receive telephone calls within reasonable limits.

~~(17) Be permitted to use and wear such patient's To wear and use such person's own clothing and personal possessions, including toilet articles, as long as such wear and use complies with facility rules and policies, or to be furnished with an adequate allowance of clothes if none are available. Provision shall be made to launder the patient's clothing.~~

(18) To possess personal property in a reasonable amount, as long as the property complies with state laws and facility rules and policies, and be provided a reasonable

amount of individual ~~secure~~ storage space ~~for private use pursuant to facility rules and policies~~. In no event shall a person be allowed to possess or store contraband.

(19) Reasonable protection of privacy in such matters as toileting and bathing.

(20) ~~Be permitted~~ To see a reasonable number of visitors who do not pose a threat to the safety and security or therapeutic climate of ~~other patients~~ the person, other persons, visitors or the facility.

(21) ~~The right~~ To present grievances under the procedures established by each facility on the patient's person's own behalf ~~or that of others to the staff or superintendent of the treatment facility without justifiable fear of reprisal and to communicate, subject to paragraph (14), with public officials or with any other person without justifiable fear of reprisal.~~

(22) ~~The right~~ To spend such patient's person's money as such patient person chooses with reasonable limitations, except under the following circumstances: (A) When restricted by facility rules and policies; or (B) to the extent that authority over the money is held by another, including the parent of a minor, a court-appointed guardian of the patient's person's estate or a representative payee. A treatment facility may, as a part of its security procedures, use a patient trust account in lieu of currency that is held by a patient person, and may establish reasonable policies governing patient account transactions.

(c) (1) ~~A patient's rights guaranteed~~ A person's rights under subsections (b)(15) to (b)(21) ~~(22)~~ may be denied for cause ~~after review~~ by the superintendent of the facility or the superintendent's designee, ~~and may be denied or~~ when medically or therapeutically contraindicated as documented by the ~~patient's physician or licensed psychologist~~ person's physician, licensed psychologist or licensed master's level psychologist in the patient's person's treatment record. The individual shall be informed in writing of the grounds for withdrawal of the right and shall have the opportunity for a review of the withdrawal of the right in an informal hearing before the superintendent of the facility or the superintendent's designee. There shall be documentation of the grounds for withdrawal of rights in the patient's person's treatment record. ~~After an informal hearing is held, a patient or such patient's representative may petition for review of the denial of any right under this subsection through the use of the grievance procedure provided in subsection (d).~~

(2) Notwithstanding subsection (c)(1), when the facility makes an administrative decision that applies equally to all persons and there is a legitimate governmental reason for the decision, notice of the decision is all that is required.

(d) The secretary for aging and disability services shall establish procedures to assure protection of patients' persons' rights guaranteed under this section.

(e) No person may intentionally retaliate or discriminate against any patient person or employee for contacting or providing information to any state official or to an employee of any state protection and advocacy agency, or for initiating, participating in, or testifying in a grievance procedure or in an action for any remedy authorized under this section.

(f) (1) ~~This section shall be a part of and supplemental to article 29a of chapter 59 of the Kansas Statutes Annotated, and amendments thereto. Proceedings under this section or any other appeal concerning an action by the Kansas department for aging and disability services shall be governed under the Kansas administrative procedure act and the Kansas judicial review act. A person appealing any alleged violations of this~~

section or any other agency determination shall exhaust all administrative remedies available through the Larned state hospital, including the sexual predator treatment program, before having any right to request a hearing under the Kansas administrative procedure act.

(2) A final agency determination shall include notice of the right to appeal such determination only to the office of administrative hearings. Within 30 days after service of a final agency determination and the notice of right to appeal, the appellant may file a request for hearing in writing with the office of administrative hearings for a review of that determination. Any request for hearing must be accompanied by a copy of the final agency determination. Failure to timely request a hearing constitutes a waiver of the right to any review. The request shall be examined by the presiding officer assigned. If the appellant seeks to challenge the final agency determination on any grounds other than material facts in controversy or agency violation of a relevant rule, regulation or statute, the appellant shall express such allegations with particularity within the request for hearing. If it plainly appears from the face of the request and accompanying final agency determination that the appellant failed to state a claim on which relief could be granted, the request shall be dismissed. The burden shall be on the appellant to prove by a preponderance of the evidence that the agency action violated a specific rule, regulation or statute. If the request for hearing does not allege a violation of a specific rule, regulation or statute, the burden shall be on the appellant to prove by a preponderance of the evidence that the agency had no legitimate government interest in taking such action. Any dispositive ruling of the hearing officer assigned by the office of administrative hearings shall be deemed an initial order under the Kansas administrative procedure act.

(3) The person shall participate by telephone or other electronic means at any hearing before the office of administrative hearings or any proceeding under the Kansas judicial review act, unless the presiding officer or court determines that the interests of justice require an in-person proceeding. Notwithstanding K.S.A. 77-609, and amendments thereto, if an in-person proceeding is necessary, such proceeding shall be conducted at the place where the person is committed.

(4) Except as otherwise provided in the Kansas sexually violent predator act and notwithstanding K.S.A. 77-609, and amendments thereto, venue shall be in Pawnee county, Kansas, for all proceedings brought pursuant to the Kansas judicial review act.

Sec. 12. K.S.A. 2014 Supp. 59-29a23 is hereby amended to read as follows: 59-29a23. (a) ~~Whenever a person civilly committed pursuant to K.S.A. 59-29a01 et seq. and amendments thereto, files a petition pursuant to K.S.A. 60-1501 et seq. and amendments thereto, the Kansas sexually violent predator act files any civil action relating to such commitment, including, but not limited to, an action pursuant to K.S.A. 60-1501 et seq., and amendments thereto, the costs incurred, including, but not limited to, the filing fee, costs of appointed counsel fees and expenses, witness fees and expenses, expert fees and expenses and other expenses related to the prosecution and defense of such petition, shall be taxed to the county responsible for the costs civilly committed person bringing the action. Any district court receiving a statement of costs from another district court shall forthwith approve the same for payment out of the general fund of its county except that it may refuse to approve the same for payment only on the ground that it is not the county responsible for the costs. If the claim for costs is not paid within 120 days, an action may be maintained thereon by the claimant~~

county in the district court of the claimant county against the debtor county.

(b) (1) Subject to subsection (c), any court may authorize the commencement of any civil action, or appeal therein, without prepayment of fees or security therefor, by a civilly committed person who submits an affidavit that includes a statement of all assets that such person possesses and a statement that such person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the civil action or appeal and the affiant's belief that the person is entitled to redress.

(2) A civilly committed person seeking to bring a civil action, or appeal therein, without prepayment of fees or security therefor, in addition to filing the affidavit required by subsection (b)(1), shall submit a certified copy of the trust fund account statement, or institutional equivalent, for such person for the six-month period immediately preceding the filing of the action or notice of appeal, obtained from the appropriate official of each facility at which such person is or was committed. In addition, such person shall submit a certified copy of all private banking account and investment account statements for the six-month period immediately preceding the filing of the action or notice of appeal for which the person is the account owner or beneficiary.

(3) If the court determines, based on the affidavit and information provided pursuant to this subsection, that the person is indigent, the costs incurred shall be taxed to the county responsible for the costs.

(4) Any district court receiving a statement of costs from another district court shall forthwith approve the same for payment out of the general fund of its county, except that it may refuse to approve the same for payment only on the ground that it is not the county responsible for the costs. If the claim for costs is not paid within 120 days, an action may be maintained thereon by the claimant county in the district court of the claimant county against the debtor county.

(5) The county responsible for the costs incurred pursuant to this subsection (a) shall be reimbursed for such costs by the office of the attorney general from the sexually violent predator expense fund. The attorney general shall develop and implement a procedure to provide such reimbursements. If there are no moneys available in such fund to pay any such reimbursements, the county may file a claim against the state pursuant to article 9 of chapter 46, of the Kansas Statutes Annotated, and amendments thereto.

(6) An appeal may not be taken in forma pauperis if the trial court certifies in writing that such appeal is not taken in good faith.

(c) (1) Notwithstanding subsection (b), if a civilly committed person brings a civil action or files an appeal in forma pauperis, such person shall be required to pay the full amount of a filing fee. The court shall assess and, when funds exist, collect as a partial payment of any court fees required by law, an initial partial filing fee of 20% of the greater of:

(A) The average monthly deposits to the civilly committed person's trust account, or institutional equivalent; or

(B) the average monthly balance in the civilly committed person's trust account, or institutional equivalent, for the six-month period immediately preceding the filing of the action or notice of appeal.

(2) After payment of the initial partial filing fee, the civilly committed person shall be required to make monthly payments of 20% of the preceding month's income.

credited to the civilly committed person's account. The agency having custody of the civilly committed person shall forward payments from the civilly committed person's account to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid. The clerk shall then forward the payments to the county responsible for the costs for reimbursement.

(3) In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action or an appeal of a civil action.

(4) In no event shall a civilly committed person be prohibited from bringing a civil action or appealing a civil action for the reason that such person has no assets and no means by which to pay the initial partial filing fee.

(d) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that:

(1) The allegation of poverty is untrue; or

(2) the action or appeal:

(A) Is frivolous or malicious;

(B) fails to state a claim on which relief may be granted; or

(C) seeks monetary relief against a defendant who is immune from such relief.

(e)(1) Judgment may be rendered for costs at the conclusion of the suit or action as in other proceedings.

(2) (A) If the judgment against a civilly committed person includes the payment of costs under this subsection, such person shall be required to pay the full amount of the costs ordered.

(B) The civilly committed person shall be required to make payments for costs under this subsection in the same manner provided for filing fees under subsection (c).

(C) In no event shall the costs collected exceed the amount of the costs ordered by the court.

(f) In no event shall a civilly committed person bring a civil action or appeal a judgment in a civil action or proceeding in forma pauperis if such person has, on three or more prior occasions, while confined in any facility, brought an action or appeal in a court of the state of Kansas or of the United States that was dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, unless such person is under imminent danger of serious physical injury.

(e)-(g) As used in this section, "county responsible for the costs" means the county where the person was determined to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq. and amendments thereto, the Kansas sexually violent predator act.

Sec. 13. K.S.A. 2014 Supp. 59-29a24 is hereby amended to read as follows: 59-29a24. ~~(a) Any patient in the custody of the secretary of social and rehabilitation services person civilly committed pursuant to K.S.A. 59-29a01 et seq. and amendments thereto, the Kansas sexually violent predator act, prior to filing any civil action, including, but not limited to, an action pursuant to K.S.A. 60-1501 et seq., and amendments thereto, naming as the defendant pursuant to the rules of civil procedure, the state of Kansas, any political subdivision of the state of Kansas, any public official, the secretary of social and rehabilitation for aging and disability services or an employee of the Kansas department of social and rehabilitation for aging and disability services, while such employee is engaged in the performance of such employee's duty, shall be required to have exhausted such patient's all administrative remedies, established by procedures adopted pursuant to subsection (d) of K.S.A. 59-29a22 and~~

~~amendments thereto~~, concerning such civil action. Upon filing a petition in a civil action, such ~~patient person~~ shall file with such petition proof that ~~the~~ all administrative remedies have been exhausted.

~~(b) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that:~~

~~(1) The allegation of poverty is untrue, notwithstanding the fact that a filing fee, or any portion thereof has been paid; or~~

~~(2) the action or appeal:~~

~~(A) Is frivolous or malicious;~~

~~(B) fails to state a claim on which relief may be granted; or~~

~~(C) seeks monetary relief against a defendant who is immune from such relief.~~

~~(e) In no event shall such patient bring a civil action or appeal a judgment in a civil action or proceeding under this section if such patient has, on three or more prior occasions, while in the custody of the secretary of social and rehabilitation services pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, brought an action or appeal in a court of the state of Kansas or of the United States that was dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, unless the patient is under imminent danger of serious physical injury.~~

~~(d) The provisions of this section shall not apply to a writ of habeas corpus.~~

Sec. 14. K.S.A. 2014 Supp. 59-2401a is hereby amended to read as follows: 59-2401a. (a) An appeal by an interested party from a district magistrate judge who is not regularly admitted to practice law in Kansas to a district judge may be taken no later than 14 days from any final order, judgment or decree entered in any proceeding pursuant to:

(1) The Kansas adoption and relinquishment act, K.S.A. 59-2111 et seq., and amendments thereto;

(2) the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto;

(3) the care and treatment act for persons with an alcohol or substance abuse problem, K.S.A. 59-29b45 et seq., and amendments thereto; or

(4) the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto.

The appeal shall be heard no later than 30 days from the date the notice of appeal is filed. If no record was made of the proceedings, the trial shall be de novo. Except as provided further, if a record was made of the proceedings, the district judge shall conduct the appeal on the record. Upon motion of any party to the proceedings, the district judge may hold a trial de novo.

(b) An appeal by an interested party from a district judge, or a district magistrate judge who is regularly admitted to practice law in Kansas, to an appellate court shall be taken pursuant to article 21 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, from any final order, judgment or decree entered in any proceeding pursuant to:

(1) The Kansas adoption and relinquishment act, K.S.A. 59-2111 et seq., and amendments thereto;

(2) the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto;

(3) the Kansas sexually violent predator act, K.S.A. 59-29a01 et seq., and



amendments thereto;

(4) the care and treatment act for persons with an alcohol or substance abuse problem, K.S.A. 59-29b45 et seq., and amendments thereto; or

(5) the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto.

Except for appeals under the Kansas judicial review act and cases otherwise specifically provided for by law, appeals under this section shall have priority over all others.

(c) Pending the determination of an appeal pursuant to subsection (a) or (b), any order appealed from shall continue in force unless modified by temporary orders entered by the court hearing the appeal. The supersedeas bond provided for in K.S.A. 60-2103, and amendments thereto, shall not stay proceedings under an appeal from the district court to an appellate court.

(d) In an appeal taken pursuant to subsection (a) or (b), the court from which the appeal is taken may require an appropriate party, other than the state of Kansas, any subdivision thereof, and all cities and counties in this state, to file a bond in such sum and with such sureties as may be fixed and approved by the court to ensure that the appeal will be prosecuted without unnecessary delay and to ensure the payment of all judgments and any sums, damages and costs that may be adjudged against that party.

(e) As used in this section, "interested party" means:

(1) The parent in a proceeding pursuant to the Kansas adoption and relinquishment act, K.S.A. 59-2111 et seq., and amendments thereto;

(2) the patient under the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto;

(3) the patient under the care and treatment act for persons with an alcohol or substance abuse problem, K.S.A. 59-29b45 et seq., and amendments thereto;

(4) the person adjudicated a sexually violent predator under the Kansas sexually violent predator act, K.S.A. 59-29a01 et seq., and amendments thereto;

(5) the ward or conservatee under the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto;

(6) the parent of a minor person adjudicated a ward or conservatee under the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto;

(7) the petitioner in the case on appeal; and

(8) any other person granted interested party status by the court from which the appeal is being taken.

(f) This section shall be part of and supplemental to the Kansas probate code.

Sec. 15. K.S.A. 2014 Supp. 77-603 is hereby amended to read as follows: 77-603.

(a) This act applies to all agencies and all proceedings for judicial review and civil enforcement of agency actions not specifically exempted by statute from the provisions of this act.

(b) This act creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(c) This act does not apply to agency actions:

(1) Of the prisoner review board concerning inmates or persons under parole or conditional release supervision;

(2) concerning the management, discipline or release of persons in the custody of



the secretary of corrections;

(3) concerning the management, discipline or release of persons in the custody of the commissioner of juvenile justice;

(4) under the election laws contained in chapter 25 of the Kansas Statutes Annotated, and amendments thereto, except as provided by K.S.A. 25-4185, and amendments thereto;

(5) concerning pardon, commutation of sentence, clemency or extradition;

(6) concerning military or naval affairs other than actions relating to armories;

(7) governed by the provisions of the open records act and subject to an action for enforcement pursuant to K.S.A. 45-222, and amendments thereto; or

(8) governed by the provisions of K.S.A. 75-4317 et seq., and amendments thereto, relating to open public meetings, and subject to an action for civil penalties or enforcement pursuant to K.S.A. 75-4320 or 75-4320a, and amendments thereto; ~~or~~

~~(9) concerning the civil commitment of sexually violent predators pursuant to K.S.A. 59-29a01 et seq. and amendments thereto.~~

New Sec. 16. (a) Whenever there is current evidence since the last annual examination from an expert or professional person that an identified physiological change to the committed person, such as paralysis, stroke or dementia, renders the committed person unable to commit a sexually violent offense and that this change is permanent, the person may petition the court for a hearing to be released.

(b) If the court finds after a hearing that the person has demonstrated by clear and convincing evidence that the person suffers from a permanent physiological change rendering the person unable to commit a sexually violent offense, the court shall discharge the person from the program and notify the secretary. At the hearing, the person shall have the right to counsel. The state shall have the right to have the person examined before the hearing. The burden of proof shall be on the person to prove the physiological change is permanent and renders the person unable to commit a sexually violent offense.

(c) If the court finds the person has not suffered a permanent physiological change or is not safe, the person shall remain in secure commitment.

(d) This section shall be a part of and supplemental to the Kansas sexually violent predator act.

New Sec. 17. (a) The cost of any post-commitment hearings, annual review hearings, including those provided by the office of administrative hearings, evaluations or other expenses expressly provided for in the Kansas sexually violent predator act shall be paid by the county responsible for the costs.

(b) The cost of any sexual predator treatment program administrative hearings involving K.S.A. 2014 Supp. 59-29a22, and amendments thereto, or other program decisions appealed to or received by the office of administrative hearings shall be paid by the county responsible for the costs.

(c) At the conclusion of any of the proceedings described in this section, the office of administrative hearings shall provide a statement to the county responsible for the costs. The county shall pay the office of administrative hearings within 60 days following the receipt of the bill or prior to the expiration of the fiscal year in which the costs were incurred, whichever occurs first.

(d) As used in this section, "county responsible for the costs" means the county where the person was determined to be a sexually violent predator pursuant to the

Kansas sexually violent predator act.

(e) This section shall be a part of and supplemental to the Kansas sexually violent predator act.

New Sec. 18. (a) (1) Whenever a person civilly committed pursuant to K.S.A. 59-29a07, and amendments thereto, is in the custody of a county law enforcement agency for a pending criminal proceeding, the costs incurred for the care and custody of such person by the county with custody of such person, including, but not limited to, reasonable costs of medical care and treatment, housing, food and transportation, shall be paid by such county.

(2) The secretary for aging and disability services shall reimburse such county from the Larned state hospital – SPTP new crimes reimbursement account of the state general fund for all costs that would have been paid from such account if such person had remained in the custody of the secretary for aging and disability services.

(b) (1) Whenever a person civilly committed pursuant to K.S.A. 59-29a07, and amendments thereto, commits a crime and is prosecuted for such crime, the costs incurred for such prosecution shall be paid by the county where such prosecution occurs.

(2) The secretary for aging and disability services shall reimburse such county from the Larned state hospital – SPTP new crimes reimbursement account of the state general fund for all reasonable costs incurred for such prosecution.

(c) If there are no moneys available in the Larned state hospital – SPTP new crimes reimbursement account of the state general fund to pay any reimbursements described in subsection (a) or (b), the county entitled to such reimbursement may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(d) The secretary for aging and disability services shall develop and implement a procedure to provide the reimbursements described in subsections (a) and (b) on or before January 1, 2016.

(e) All expenditures pursuant to this section from the Larned state hospital – SPTP new crimes reimbursement account of the state general fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability services or the secretary's designee.

Sec. 19. K.S.A. 59-29a01, 59-29a03, 59-29a10 and 59-29a18 and K.S.A. 2014 Supp. 59-2401a, 59-29a04, 59-29a04a, 59-29a05, 59-29a06, 59-29a07, 59-29a08, 59-29a11, 59-29a22, 59-29a23, 59-29a24 and 77-603 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "civil commitment of sexually violent predators; amending K.S.A. 59-29a01, 59-29a03 and 59-29a10 and K.S.A. 2014 Supp. 59-2401a, 59-29a04, 59-29a04a, 59-29a05, 59-29a06, 59-29a07, 59-29a08, 59-29a11, 59-29a22, 59-29a23, 59-29a24 and 77-603 and repealing the existing sections; also repealing K.S.A. 59-29a18";

And your committee on conference recommends the adoption of this report.

JOHN E. BARKER  
 CHARLES MACHEERS  
 JOHN CARMICHAEL

*Conferees on part of House*

JEFF KING  
 GREG SMITH  
 PAT PETTEY

*Conferees on part of Senate*

On motion of Rep. Macheers, the conference committee report on **H Sub for SB 12** was adopted.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Alford, Anthimides, Barton, Becker, Billinger, Bollier, Bradford, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Barker, Boldra, Bridges, Bruchman, Campbell, Edmonds, Highberger, Houston, Kahrs, Kelley, Mason, Peck, Swanson.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

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AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **HB 2005**.

The House stood at ease until the sound of the gavel.

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Speaker pro tem Mast called the House to order.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on

Senate amendments to **HB 2005** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

- On page 1, in line 30, by striking "\$96,689,750" and inserting "\$101,904,750";
- On page 3, in line 24, by striking "\$96,706,812" and inserting "\$105,685,224";
- On page 8, in line 34, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 11, in line 27, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 12, in line 24, by striking the first "and"; also in line 24, following "2018," by inserting "and June 30, 2019,"; in line 27, by striking "2019" and inserting "2020";
- On page 13, in line 9, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 16, in line 38, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 21, in line 35, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 24, in line 20, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 25, in line 22, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 27, in line 6, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 17, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 28, in line 20, before "the" by inserting "on and after July 1, 2015, through June 30, 2017,";
- On page 29, in line 22, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 31, in line 6, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 17, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 33, in line 25, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 35, in line 38, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 37, in line 15, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 40, in line 2, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 18, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 42, in line 20, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 43, in line 26, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";
- On page 44, in line 1, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 16, before "The" by inserting "On and after July 1, 2015,

through June 30, 2017,"; in line 19, before "The" by inserting "Except as provided further,"; in line 28, after the period by inserting "If the appropriations to the judicial branch for fiscal year 2016 or fiscal year 2017 are reduced below the amounts appropriated in this act by any other act of the 2015 or 2016 regular session of the legislature, the provisions of this section are hereby declared to be null and void and shall have no force and effect and the provisions of this act and of 2014 Senate Substitute for House Bill No. 2338, chapter 82 of the 2014 Session Laws of Kansas, are declared to be severable.";

And your committee on conference recommends the adoption of this report.

TY MASTERSON

JEFF KING

*Conferees on part of Senate*

RON RYCKMAN

JOHN E. BARKER

*Conferees on part of House*

On motion of Rep. Ryckman, the conference committee report on **HB 2005** was adopted.

On roll call, the vote was: Yeas 88; Nays 26; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Anthimides, Barton, Becker, Billinger, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Francis, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lewis, Lunn, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Scapa, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Whipple, Whitmer, Williams.

Nays: Alcalá, Burroughs, Carlin, Carmichael, Curtis, Finney, Frownfelter, Henderson, Henry, Highberger, Kuether, Lane, Lusk, Ousley, Ruiz, Sawyer, Schroeder, Schwab, Thompson, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ballard, Barker, Boldra, Bridges, Campbell, Edmonds, Houston, Kahrs, Mason, Peck, Swanson.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes on **HB 2005** only in order to keep the courts of the state of Kansas open for business. The attempt to make court funding contingent on the courts' decision in a specific case is shameful. However, this is the only way to avoid judicial branch furloughs and ensure that Kansans can access their courts to seek justice, protection from abuse, or the resolution of disputes. Our citizens deserve a fair, independent, and adequately funded judiciary without political games and attempts to buy judicial decisions by anyone, including the legislature. — J. RUSSELL JENNINGS, BLAINE FINCH, TOM PHILLIPS, DIANA DIERKS, LONNIE CLARK, TOM MOXLEY, DON HILL, LINDA

GALLAGHER, DON HINEMAN, BARBARA BOLLIER, MELISSA ROOKER, STEPHANIE CLAYTON, STEVEN R. BECKER, STEPHEN ALFORD, JIM KELLY, RICHARD PROEHL, TOM SLOAN, JOHN RUBIN

MR. SPEAKER: I do not endorse all of the policy positions taken in the conference committee report for **HB 2005**, but the budget for the Judicial branch needs to be passed. Therefore, I vote yes on **HB 2005**. – JAMES TODD, CHARLES SMITH

MR. SPEAKER: Our decision to make the judicial budget contingent on the court's decision in a particular case is probably unconstitutional and sets an extremely dangerous precedent. It is extortion, pure and simple, and violates the constitutional principle of separation of powers. The funding portion of the bill is insufficient and will likely result in court closings before the end of the fiscal year. It all relies too heavily on fee increases— when justice becomes a fee for service, our democracy is in serious trouble. I vote no on **HB 2005**. – DENNIS “BOOG” HIGHBERGER

#### **COMMITTEE ASSIGNMENT CHANGE**

Speaker pro tem Mast announced the appointment of Rep. Curtis to replace Rep. Lusker on Joint Committee on State Building Construction on June 2.

#### **REPORT ON ENROLLED BILLS**

**HB 2223**, **HB 2352** reported correctly enrolled, properly signed and presented to the Governor on June 1, 2015.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Tuesday, June 2, 2015.

# Journal of the House

SEVENTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, June 2, 2015, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 110 members present.

Reps. Ballard, Bollier, Bridges, Hill, Hineman, Houston, Kahrs, Kiegerl, Lusker, Mason, Patton, Phillips, Read, Rubin and Thompson were excused on excused absence by the Speaker.

Rep. Campbell was excused later in the day on excused absence by the Speaker.

Present later: Reps. Ballard, Hill, Kiegerl, Lusker, Phillips and Rubin.

Prayer by Chaplain Brubaker:

Gracious and loving God,  
As we stand before You another day  
of what seems to be the thirteenth inning of a tied ballgame,  
I again ask for Your assistance...  
dare I say "intervention?"  
To lighten the tension and pressure  
for those feeling stressed—  
You know, the confusion created when  
one's mind overrides the body's basic desire to choke  
the living daylights out of  
somebody who disagrees with them—  
please give them Your mercy, peace and longsuffering.  
For those who are sure they are on the right track,  
remind them that they might get run over  
if they just sit there.  
For those who may see a light at the end of the tunnel,  
may it not be someone carrying a torch with  
a new bill or twenty amendments.  
In all seriousness, Lord,  
please speak Your wisdom into their words,  
Your kindness into their actions,  
Your will into their decisions.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Johnson.

**MESSAGE FROM THE GOVERNOR**

**S Sub for HB 2124, Sub HB 2224, HB 2364** approved on June 2, 2015.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **H Sub for SB 12**.

The Senate adopts the Conference Committee report on **SB 113**.

The Senate adopts the Conference Committee report on **HB 2331**.

The Senate adopts the Conference Committee report on **S Sub for HB 2353**.

The Senate announced the appointment of Senator Masterson to replace Senator King as a conferee on **H Sub for SB 112**.

The Senate announced the appointment of Senator Denning to replace Senator Smith as a conferee on **H Sub for SB 112**.

The Senate announced the appointment of Senator Kelly to replace Senator Pettey as a conferee on **H Sub for SB 112**.

**CHANGE OF CONFEREES**

Speaker pro tem Mast announced the appointment of Reps. Ryckman, Schwartz and Henry as members of the conference committee on **H Sub for SB 112** to replace Reps. Barker, Macheers and Carmichael.

Also, the appointment of Reps. Barker, Macheers and Carmichael as members of the conference committee on **HB 2048** to replace Reps. Rubin, Gonzalez and Highberger.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

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**AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2331** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 3, by striking all in lines 11 through 43;

By striking all on pages 4 through 17;

On page 18, by striking all in lines 1 through 6; following line 6, by inserting:

"Section 1. K.S.A. 2014 Supp. 12-16,124 is hereby amended to read as follows: 12-16,124. (a) No city or county shall adopt or enforce any ordinance, resolution or regulation, and no agent of any city or county shall take any administrative action, governing the requirement of fees, licenses or permits for, the commerce in or the sale, purchase, transfer, ownership, storage, carrying-~~or,~~ transporting or taxation of firearms or ammunition, or any component or combination thereof.

~~(b) No city or county shall adopt or enforce any ordinance, resolution or regulation relating to the sale of a firearm by an individual, who holds a federal firearms license, that is more restrictive than any ordinance, resolution or regulation relating to the sale~~



~~of any other commercial good.~~

~~(e)-(b)~~ Any ordinance, resolution or regulation prohibited by either subsection (a) ~~or (b)~~ that was adopted prior to July 1, ~~2014~~ 2015, shall be null and void.

~~(d)-(c)~~ Nothing in this section shall:

(1) Prohibit a city or county from adopting and enforcing any ordinance, resolution or regulation relating to the personnel policies of such city or county and the carrying of firearms by employees of such city or county, except that any such ordinance, resolution or regulation shall comply with the provisions of K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto;

(2) prohibit a city or county from adopting any ordinance, resolution or regulation pursuant to K.S.A. 2014 Supp. 75-7c20, and amendments thereto; ~~or~~

(3) prohibit a law enforcement officer, as defined in K.S.A. 22-2202, and amendments thereto, from acting within the scope of such officer's duties; or

(4) prohibit a city or county from levying and collecting any retailers' sales tax on the sale of firearms, ammunition or any component or combination thereof as authorized by K.S.A. 12-189, and amendments thereto.

Sec. 2. K.S.A. 2014 Supp. 75-7c04, as amended by section 9 of 2015 Senate Bill No. 45, is hereby amended to read as follows: 75-7c04. (a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2014 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2014 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

~~(3) has been convicted of or was adjudicated a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of any of the offenses described in K.S.A. 2014 Supp. 21-6304(a)(1) and (a)(3), and amendments thereto; or~~

~~(4)~~ is less than 21 years of age.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the

attorney general an application in the form required by the attorney general and a fee not to exceed \$150.

(2) The cost of the handgun safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

(A) Evidence of completion of the course, in the form provided by rules and regulations adopted by the attorney general;

(B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant; or

(C) a determination by the attorney general pursuant to subsection (c).

(c) The attorney general may:

(1) Create a list of concealed carry handgun licenses or permits issued by other jurisdictions which the attorney general finds have training requirements that are equal to or greater than those of this state; and

(2) review each application received pursuant to K.S.A. 2014 Supp. 75-7c05, and amendments thereto, to determine if the applicant's previous training qualifications were equal to or greater than those of this state.

(d) For the purposes of this section:

(1) "Equal to or greater than" means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to: (A) Receive instruction on the laws of self-defense; and (B) demonstrate training and competency in the safe handling, storage and actual firing of handguns.

(2) "Jurisdiction" means another state or the District of Columbia.

(3) "License or permit" means a concealed carry handgun license or permit from another jurisdiction which has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.

Sec. 3. K.S.A. 2014 Supp. 12-16,124 and 75-7c04, as amended by section 9 of 2015 Senate Bill No. 45, are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 1 through 7 and inserting "AN ACT concerning firearms; relating to possession of firearms; amending K.S.A. 2014 Supp 12-16,124 and 75-7c04, as amended by section 9 of 2015 Senate Bill No. 45, and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

JAKE LATURNER

*Conferees on part of Senate*

STEVEN R. BRUNK

TRAVIS COUTURE-LOVELADY

*Conferees on part of House*

On motion of Rep. Brunk, the conference committee report on **HB 2331** was adopted.

On roll call, the vote was: Yeas 96; Nays 14; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highland, Hildabrand, Hill, Hoffman, Houser, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, Osterman, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Waymaster, Whipple, Whitmer, Williams, Wilson.

Nays: Ballard, Carlin, Clayton, Curtis, Finney, Gallagher, Henderson, Highberger, Kuether, Ousley, Ruiz, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Campbell, Hineman, Houston, Huebert, Jennings, Kahrs, Mason, O'Brien, Patton, Read, Suellentrop, Thompson, Tietze.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2353** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments as follows:

On page 17, by striking all in lines 11 through 27; following line 27, by inserting the following:

"Sec. 11. From and after July 1, 2015, K.S.A. 2014 Supp. 76-715b is hereby amended to read as follows: 76-715b. (a) As used in this section:

(1) "State board" means the state board of regents.  
 (2) "State educational institution" has the meaning ascribed thereto in K.S.A. 76-711, and amendments thereto.

(3) "Leave time" means vacation leave and discretionary day leave.

(b) The state board may adopt a policy which authorizes state educational institutions to provide leave time to the classified employees and university support staff of any such institution in an amount not to exceed the amount of leave time provided to unclassified employees of such institution.

(c) Subject to the policy of the state board adopted pursuant to this section, each state educational institution may provide leave time to classified employees and university support staff of such institution. The amount of leave time may vary from the amount of leave time provided to classified or unclassified employees of state agencies that are not state educational institutions.

(d) The state board shall adopt any rules and regulations necessary to implement the provisions of this act.";

And your committee on conference recommends the adoption of this report.

TY MASTERSON

JIM DENNING

LAURA KELLY

*Conferees on part of Senate*

RON RYCKMAN

SHARON SCHWARTZ

JERRY HENRY

*Conferees on part of House*

On motion of Rep. Ryckman, the conference committee report on **S Sub for HB 2353** was adopted.

On roll call, the vote was: Yeas 110; Nays 0; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hoffman, Houser, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Campbell, Hineman, Houston, Huebert, Jennings, Kahrs, Mason, O'Brien, Patton, Read, Suellentrop, Thompson, Tietze.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 112** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

RON RYCKMAN

SHARON SCHWARTZ

JERRY HENRY

*Conferees on part of House*

TY MASTERSON

JIM DENNING

LAURA KELLY

*Conferees on part of Senate*

On motion of Rep. Ryckman the conference committee report on **H Sub for SB 112** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Ryckman, Schwartz and Henry as second conferees on the part of the House.

#### **CHANGE OF CONFEREES**

Speaker pro tem Mast announced the appointment of Rep. Ward as a member of the conference committee on **HB 2142** to replace Rep. Houston.

On motion of Rep. Vickrey, the House recessed until 4:00 p.m.

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### **MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report to agree to disagree on **H Sub for SB 112**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

On motion of Rep. Vickrey, the House recessed until 7:00 p.m.

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#### EVENING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### **REPORT ON ENROLLED BILLS**

**HB 2183, S Sub for HB 2228** reported correctly enrolled, properly signed and presented to the Governor on June 2, 2015.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6026** reported correctly enrolled and properly signed on June 2, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, June 3, 2015.

# Journal of the House

SEVENTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, June 3, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 113 members present.

Reps. Bollier, Bridges, Carlin, Claeys, Hineman, Houston, Huebert, Jennings, K. Jones, Kahrs, Patton and Sloan were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord in Heaven,  
Thank You for this another day You have given us.  
Is it "Just My Imagination"  
or are we getting closer to "Takin' Care of Business?"  
Help us to continue working together to build a  
"Bridge Over Troubled Water."  
Working with the Senate and the Governor,  
we sometimes feel like we are "Stuck in the Middle with You."  
When it comes time to vote, some are feeling "Alone Again, Naturally."  
It seems with every new proposal and amendment,  
"Another One Bites the Dust."  
Help us to realize it may have just been "Dust in the Wind."  
Most of us are "Running on Empty."  
The taxation and appropriations committees are convinced "I Will Survive."  
The House clerks and doormen are saying, "Please Release Me Let Me Go."  
Many are ready to head for "Margaritaville."  
To our constituents we say, "Don't Give Up on Us Baby,"  
We are not yet saying "Goodbye Yellow Brick Road."  
Lord, help us to listen to Your still quiet voice saying  
"Lean On Me," "You Ain't Seen Nothing Yet,"  
because there "Ain't No Mountain High Enough"  
but what You can move and break through.  
When this does happen, we will all break out with  
"Hallelujah" and be thankful to You.  
In Your Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. D. Jones.

**CHANGE OF REFERENCE**

Speaker pro tem Mast announced the withdrawal of **SB 206** from the Calendar under the heading General Orders and referral to Committee on Insurance.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report to agree to disagree on **S Sub for HB 2281**, and has appointed Senators Pilcher-Cook, O'Donnell and Kelly as **second conferees** on the part of the Senate.

Announcing passage of **HB 2109**, as amended by **S Sub for HB 2109**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2109**.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Suellentrop to concur in Senate amendments to **S Sub for HB 2109**, Rep. Kleeb offered a substitute motion to nonconcur and that a conference committee be appointed. The motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

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**AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**INTRODUCTION OF ORIGINAL MOTIONS**

Rep. Vickrey moved, pursuant to House Rule 2311, that House Rule 1704 be suspended for the purpose of allowing Reps. Schwartz and Henry to speak more than twice on **H Sub for SB 112**. The motion prevailed.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **Senate Bill No. 112** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 112 as follows:

On page 1 by striking all in lines 6 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 38; following line 38, by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2015, June 30, 2016, June 30,

2017, June 30, 2018, and June 30, 2019, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) The provisions of this act relating to fiscal year 2016 shall be known and may be cited as the omnibus appropriation act of 2015 and shall constitute the omnibus reconciliation spending limit bill for the 2015 regular session of the legislature for purposes of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2. (a) The department of corrections is hereby authorized and directed to pay the following amount from the Lansing correctional facility – facilities operations account of the state general fund for property lost to the following claimant:

Cecil E. Thacker # 78311  
1806 Pinecrest  
Winfield, KS 67156.....\$33.48

(c) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado correctional facility – facilities operations account of the state general fund for property lost to the following claimant:

Felton T. Williams Jr. # 0071445  
1318 KS Hwy 264  
Larned, KS 67550.....\$496.02

(d) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property damage to the following claimant:

Debra Skalinder  
420 West Kansas  
Little River, KS 67457.....\$1,489.61

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Norton correctional facility – facilities operations account of the state general fund for property lost to the following claimant:

Jose Serrano # 72898  
2501 W. 7<sup>th</sup> Street  
Oswego, KS 67356.....\$106.10

(f) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – facilities operations account of the state general fund for property lost or damaged to the following claimant:

John Gichamu # 99036



P. O. Box 1568  
 Hutchinson, KS 67504.....\$103.00

(g) The department of corrections is hereby authorized and directed to pay the following amount from the El Dorado correctional facility – facilities operations account of the state general fund for property lost to the following claimant:

Nathan D. Whitney II # 108166  
 P. O. Box 107  
 Ellsworth, KS 67439.....\$99.00

(h) The department of corrections is hereby authorized and directed to pay the following amount from the Norton correctional facility – facilities operations account of the state general fund for property damage to the following claimant:

Brandin Harding # 93975  
 P. O. Box 2  
 Lansing, KS 66043.....\$138.00

Sec. 3. (a) The department for aging and disability services is hereby authorized and directed to pay the following amount from the Larned state hospital – operating expenditures account of the state general fund for property lost to the following claimant:

J. Richard A. Quillen  
 1301 KS Hwy 264  
 Larned, KS 67550.....\$57.00

(b) The department for aging and disability services is hereby authorized and directed to pay the following amount from the Larned state hospital – operating expenditures account of the state general fund for inadequate medical care to the following claimant:

Gloria Ibarra # 98228  
 815 SE Rice Rd.  
 Topeka, KS 66607.....\$150.00

Sec. 4. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Becker, Raymond C.  
 468 Highway 20 W  
 Lancaster, KS 66041..... \$163.73

C. E. Farms INC.  
 249 Timber Rd.  
 Courtland, KS 66939..... \$271.08

Canaan Well Service Inc. 1401 N. Park St. Wellington, KS 67152.....	\$131.12
D.H.P. Investments L.T.D. 212 Oldgrande Blvd. Ste 100 Tyler, TX 75703.....	\$129.00
Elliot, Blake 787 Paint Rd. Hope, KS 67451.....	\$1,936.66
George, Eldon W. 25012 150 Rd. Lebanon, KS 66952.....	\$49.80
Hekele, Michael F. 1184 NE 90 <sup>th</sup> Ave. Claflin, KS 67525.....	\$81.00
JJ & J Inc. D.B.A. Lake Perry 6506 Cherokee Lane Ozawkie, KS 66070.....	\$4,222.80
Kahler, Wayne 11105 X Rd. Meriden, KS 66512.....	\$57.00
Kelles Transport Service Inc. P.O. Box 71718 Salt Lake City, UT 84171.....	\$322.92
Klassen Inc. 922 240 <sup>th</sup> Hillsboro, KS 67063.....	\$26.52
Krob, Johnny R. 861 240 Rd. Cuba, KS 66940.....	\$84.84
Markley, Robert E. 14602 E. 875 Rd. Mound City, KS 66056.....	\$89.40

Meyer, Richard L.  
 2275 Road 30  
 Hartford, KS 66854.....\$132.36

Neosho County Road and Bridge  
 515 E. 4<sup>th</sup> St.  
 Erie, KS 66733.....\$20,450.43

Peterson Farm & Livestock Inc.  
 10729 S. Simpson Rd.  
 Assaria, KS 67416.....\$111.18

Pyle Petroleum Inc.  
 212 Oldgrande Blvd. Ste 100  
 Tyler, TX 75703.....\$291.60

Robben, Robert F.  
 44025 151<sup>st</sup> West  
 Wichita, KS 67227.....\$9,066.71

USD 283  
 P.O. Box 87  
 Longton, KS 67352.....\$1,149.61

USD 300  
 P.O. Box 721  
 Coldwater, KS 67029.....\$695.45

USD 444 Little River  
 P.O. Box 218  
 Little River, KS 67457.....\$1,659.53

Wichita Country Club  
 P.O. Box 8105  
 Wichita, KS 67208.....\$65.64

Wildcat Concrete Serv. Inc.  
 P.O. Box 750075  
 Topeka, KS 66675.....\$90.46

Sec. 5. (a) Except as otherwise provided by sections 2 through 5, and amendments thereto, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in

such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 4, and amendments thereto, as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 6.

KANSAS BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 12(a) of 2015 House Substitute for Senate Bill No. 4, on the hearing instrument board fee fund of the Kansas board of examiners in the fitting and dispensing of hearing instruments is hereby decreased from \$28,627 to \$26,127.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Hearing instrument litigation fund.....\$2,500

Sec. 7.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2015, by section 61(a) of chapter 136 of the 2013 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$500 to \$1,000.

Sec. 8.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 7(a) of 2015 House Substitute for Senate Bill No. 4, on the healing arts fee fund of the state board of healing arts is hereby decreased from \$4,366,207 to \$4,331,207.

Sec. 9.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 4(a) of 2015 House Substitute for Senate Bill No. 4 on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$10,553,454 to \$10,653,090.

Sec. 10.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 13(a) of 2015 House Substitute for Senate Bill No. 4 on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,590,604 to \$2,272,171.

Sec. 11.

KANSAS REAL ESTATE COMMISSION

(a) During the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 58-3068, and amendments thereto, or any other statute, of the amount appropriated for the above agency from any special revenue fund or funds for fiscal year 2015 that is budgeted for the purpose of information technology projects or services, expenditures shall not be made from such budgeted amount by the above agency from any special revenue fund or funds for any other purpose.

Sec. 12.

LEGISLATURE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the operations (including official hospitality) account of the state general fund for fiscal year 2015, expenditures shall be made by the above agency from the operations (including official hospitality) account of the state general fund for fiscal year 2015 for meetings of the legislative budget committee to develop a scope statement, draft a request for proposal, and solicit bids in an amount not to exceed \$3,000,000 for a review and evaluation of state government: *Provided*, That such review and evaluation shall include examining state agency core functions, procedures and efficiencies which may result in the consolidation of state agencies and functions, resulting in an overall reduction in expenditures: *Provided further*, That, the legislative budget committee shall have the authority to develop a scope statement, draft a request for proposal, and solicit bids pursuant to this subsection: *And provided further*, That, the revisor of statutes, the director of legislative research and the legislative post auditor shall provide assistance to the committee: *And provided further*, That as used in this subsection, "state agency" means each state agency in this or other appropriation act of the 2015 regular session of the legislature, except that "state agency" shall not include: The legislature or any agency of the legislative branch of state government; or the judicial branch or any agency of the judicial branch of state government.

Sec. 13.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operations (including legislative post audit committee).....\$9,949

Sec. 14.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Gaming machine examination fund.....No limit

Sec. 15.

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) During the fiscal year ending June 30, 2015, expenditures from the soldiers' home fee fund, veterans' home fee fund, federal domiciliary per diem fund, and federal long term care per diem fund shall not exceed the limitation established for fiscal year 2015 by this or other appropriations act of the 2015 session of the legislature except upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 37(b) of 2015 House Substitute for Senate Bill No. 4 for the veterans' home fee fund of the Kansas commission on veterans affairs office is hereby decreased from \$2,927,328 to \$2,602,012.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 37(d) of 2015 House Substitute for Senate Bill No. 4 for the federal domiciliary per diem fund of the Kansas commission on veterans affairs office is hereby increased from \$1,262,704 to \$1,588,020.

Sec. 16.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) During the fiscal year ending June 30, 2015, no expenditures shall be made by the secretary of health and environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 133(a) of chapter 136 of the 2013 Session Laws of Kansas on the other medical assistance account of the state general fund of the department for health and environment – division of health care finance is hereby decreased from \$643,290,000 to \$618,990,000.

Sec. 17.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2015, by section 138(a) of chapter 136 of the 2013 Session Laws of Kansas on the community based services account of the state general fund of the Kansas department for aging and disability services is hereby decreased from \$96,870,751 to \$90,670,751.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 40(a) of 2015 House Substitute for Senate Bill No. 4 on the other medical assistance account of the state general fund of the Kansas department for aging and disability services is hereby decreased from \$6,329,716 to \$3,329,716.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 40(d) of 2015 House Substitute for Senate Bill No. 4 on the Osawatomie state hospital fee fund of the Kansas department for aging and disability services is hereby increased from \$8,681,367 to \$10,181,367.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 40(e) of 2015 House Substitute for Senate Bill No. 4 on the title XIX fund of the Kansas department for aging and disability services is hereby increased from \$46,542,289 to \$47,542,289.

Sec. 18.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 41(a) of 2015 House Substitute for Senate Bill No. 4 on the youth services aid and assistance account of the state general fund of the Kansas department for children and families is hereby decreased from \$10,200,000 to \$8,100,000.

(b) On the effective date of this act, for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

SNAP employment and training pilot fund.....No limit

Sec. 19.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Kansas guardianship program.....\$4,445

Sec. 20.

DEPARTMENT OF EDUCATION

(a) In addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures (including official hospitality) account of the department of education for the fiscal year ending June 30, 2015, by section 144 of chapter 136 of the 2013 Session Laws of Kansas, or section 7 of chapter 93 of the 2014

Session Laws of Kansas, expenditures shall be made from this account to issue a request for proposal to provide a statewide Kansas reading success program: *Provided*, That the purpose of this program is to provide academic support to help ensure achievement on grade level in reading: *Provided further*, That such program shall be available to all Kansas public school students in grades Pre-K through 8 and be online-delivered, interactive computer adaptive reading assessment and research-based intervention for use both at school and at home: *And provided further*, That the program shall be correlated to at least one of the commonly used reading assessments, such as DIBELS or the Kansas State Reading Test and the vendor must provide evidence that this program improves reading skills and scores: *And provided further*, That such program must automatically place students into a personalized learning path, continually tailor instruction to the individual needs of the student: *And provided further*, That such program shall provide teachers and administrators with immediate reporting, provide recommendations for interventions and provide teacher lessons and resources for teachers in order to deliver direct instruction based on the individual student needs: *And provided further*, That such program must make reporting and resources available to parents regarding student participation via a home portal: *And provided further*, That such program must be able to provide a computer adaptive-assessment, provide teachers, principals, and districts immediate on-line reporting including norm-referenced performance data that will enable teachers to plan and modify reading instruction without having to stop instructional time to administer a test: *And provided further*, That such program must provide accurate and predictive scores indicating the likelihood of a student being able to reach the requisite grade level reading skills by the end of the school year and an action plan for the students' teacher: *And provided further*, To ensure effective implementation of the program in conjunction with the beginning of the academic school year, the department of education shall issue a request for proposal to carry out the requirements of this provision no later than July 1, 2015, with plans to announce and implement the program no later than August 15, 2015.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Supplemental general state aid.....\$1,976,818

(c) On the effective date of this act, notwithstanding the provisions of K.S.A. 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, prior to its repeal, or any other statute, during the fiscal year ending June 30, 2015, the director of accounts and reports shall transfer an amount not to exceed \$3,958,900 from the state general fund to the school district capital outlay state aid fund: *Provided*, That the state board of education shall distribute such moneys to pay the remaining proportionate share of the entitlement to each school district as determined under the provisions of K.S.A. 72-8814(b), as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, prior to its repeal.

(d) On the effective date of this act, notwithstanding the provisions of K.S.A. 72-6418, prior to its repeal, section 8 of 2015 House Substitute for Senate Bill No. 7, or any other statute, during the fiscal year ending June 30, 2015, any district that has been paid more than it is entitled to receive under any distributions made under the provisions of K.S.A. 72-6434, as amended by section 38 of 2015 House Substitute for



Senate Bill No. 7, prior to its repeal, or K.S.A. 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, prior to its repeal, shall be entitled to retain such overpayment.

(e) On the effective date of this act, of the \$2,760,946,624 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the block grants to USDs account, the sum of \$3,500,000 is hereby lapsed.

Sec. 21.

PITTSBURG STATE UNIVERSITY

(a) On the effective date of this act, of the \$325,199 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 237(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the armory/classroom/recreation center debt service account, the sum of \$2,060 is hereby lapsed.

Sec. 22.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Incentive for technical education.....\$750,000

*Provided*, That, on the effective date of this act, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the state board of regents shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor in consultation with the state board of regents and the state board of education as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2015 is less than the amount of moneys to be awarded to such school districts, the state board of regents shall prorate the available moneys to such school districts accordingly.

(b) On the effective date of this act, during the fiscal year ending June 30, 2015, notwithstanding the provisions of any other statutes, the state board of regents, with the approval of the director of the budget, may transfer moneys that are credited to an account of the state general fund of the state board of regents to another account of the state general fund of the state board of regents in the aggregate amount not exceeding \$3,100,000: *Provided*, That the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 23.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 52(d) of 2015 House Substitute for Senate Bill No. 4 on the parks fee fund of the Kansas department of wildlife, parks and tourism is hereby decreased from \$6,570,990 to \$6,199,882.

Sec. 24.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 11(a) of 2015 House Substitute for Senate Bill No. 4 for the mortuary arts fee fund is hereby increased from \$285,756 to \$292,002.

Sec. 25.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 5(a) of 2015 House Substitute for Senate Bill No. 4 on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$152,864 to \$156,849.

Sec. 26.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, during the fiscal year ending June 30, 2015, pursuant to section 31(c) of 2015 House Substitute for Senate Bill No. 4, in addition to the provisions allowing the secretary of administration to determine the amount of moneys appropriated in each account of the state general fund that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2015, the secretary shall determine the amount of moneys appropriated in each account of any special revenue fund that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2015, and shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2015, the director of the budget shall certify each amount appropriated from each special revenue fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *Provided further*; That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*; That the aggregate of all amounts lapsed from appropriations from the state general fund pursuant to section 31(c) of 2015 House Substitute for Senate Bill No. 4 and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$3,800,000 or more.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

John Redmond reservoir debt service.....\$131,382

University of Kansas medical education building debt service.....	\$169,517
Debt service refunding.....	\$1,485,239

(c) On or before June 30, 2015, the director of accounts and reports shall transfer \$245,212 from the statehouse debt service – state highway fund of the department of administration to the state general fund.

(d) On or before June 30, 2015, the director of accounts and reports shall transfer \$26,540 from the public broadcasting digital conversion debt service fund of the department of administration to the state general fund.

(e) On the effective date of this act, of the \$16,146,050 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 211(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the Kansas department of transportation – CTP – debt service account of the state general fund, the sum of \$1,279,370 is hereby lapsed.

(f) On the effective date of this act, of the \$20,987,985 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 211(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the statehouse improvements — debt service account of the state general fund, the sum of \$258,796 is hereby lapsed.

Sec. 27.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Litigation support.....	\$315,955
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Sec. 28.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, of the \$21,266,989 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 86(a) of chapter 142 of the 2014 Session Laws of Kansas from the state general fund in the purchase of services account, the sum of \$840,000 is hereby lapsed.

(b) On the effective date of this act, of the \$1,043,850 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 247(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the debt service payment for the infrastructure projects bond issue account of the state general fund, the sum of \$115,204 is hereby lapsed.

(c) On the effective date of this act, of the \$1,403,750 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 247(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the debt service payment for the reception and diagnostic unit relocation bond issue account of the state general fund, the sum of \$76,241 is hereby lapsed.

Sec. 29.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$9,162,358 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 124(b) of chapter 136 of the 2013 Session Laws of Kansas from the state economic development initiatives fund in the operating grant (including official hospitality) account, the sum of \$250,000 is hereby lapsed.

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2015, by section 124(b) of chapter 136 of the 2013 Session Laws of Kansas from the state economic development initiatives fund in the rural opportunity zones program account, the sum of \$2,000,000 is hereby lapsed.

Sec. 30.

ABSTRACTERS' BOARD OF EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Abstracters' fee fund	
For the fiscal year ending June 30, 2016.....	\$22,500
For the fiscal year ending June 30, 2017.....	\$23,348

Sec. 31.

BOARD OF ACCOUNTANCY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of accountancy fee fund	
For the fiscal year ending June 30, 2016.....	\$362,647

*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2017.....	\$370,150
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*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund	
For the fiscal year ending June 30, 2016.....	No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund

for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2016, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 32.

STATE BANK COMMISSIONER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Bank commissioner fee fund  
 For the fiscal year ending June 30, 2016.....\$10,607,989

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2016, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*; That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2016, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2017.....\$11,043,185

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2017, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*; That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2017, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund  
 For the fiscal year ending June 30, 2016.....No limit  
 For the fiscal year ending June 30, 2017.....No limit

Consumer education settlement fund  
 For the fiscal year ending June 30, 2016.....No limit

*Provided*, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2016, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2017, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

Litigation expense fund  
 For the fiscal year ending June 30, 2016.....No limit

*Provided*, That the above agency is authorized to make expenditures from the

litigation expense fund for the fiscal year ending June 30, 2016, for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*; That, during the fiscal year ending June 30, 2016, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2017, for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*; That, during the fiscal year ending June 30, 2017, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

(b) During the fiscal years ending June 30, 2016, and June 30, 2017, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104, and amendments thereto, or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlement moneys designated for consumer education shall be deposited in the state treasury to the credit of the consumer education settlement fund.

Sec. 33.

KANSAS BOARD OF BARBERING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of barbering fee fund  
For the fiscal year ending June 30, 2016.....\$174,366

*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2017.....\$176,688

*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$500.

Sec. 34.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Behavioral sciences regulatory board fee fund  
For the fiscal year ending June 30, 2016.....\$730,635

*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2016, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2016.

For the fiscal year ending June 30, 2017.....\$737,043

*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2017, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2017.

Sec. 35.

STATE BOARD OF HEALING ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Healing arts fee fund  
For the fiscal year ending June 30, 2016.....\$4,611,175

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2016, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2016.



For the fiscal year ending June 30, 2017.....\$4,727,977

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2017, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2017: *And provided further*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2017, for a statewide education initiative to address management of chronic pain shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2017.

Medical records maintenance trust fund  
For fiscal year ending June 30, 2016.....\$35,000  
For fiscal year ending June 30, 2017.....\$35,000

Sec. 36.

KANSAS STATE BOARD OF COSMETOLOGY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Cosmetology fee fund  
For the fiscal year ending June 30, 2016.....\$901,159

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2017.....\$909,621

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$2,000.

Sec. 37.

STATE DEPARTMENT OF CREDIT UNIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit union fee fund  
For the fiscal year ending June 30, 2016.....\$1,165,765

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending

June 30, 2016, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2017.....\$1,193,175

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$300.

Sec. 38.

KANSAS DENTAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dental board fee fund  
For the fiscal year ending June 30, 2016.....\$401,453

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2017..... \$411,564

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$500.

Special litigation reserve fund  
For the fiscal year ending June 30, 2016.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the

budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2016, the executive director of the Kansas dental board, with the approval of the director of the budget, may transfer moneys from the dental board fee fund to the special litigation reserve fund of the Kansas dental board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$50,000: *Provided further*, That the executive director of the Kansas dental board shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive director of the Kansas dental board, with the approval of the director of the budget, may transfer moneys from the dental board fee fund to the special litigation reserve fund of the Kansas dental board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$50,000: *Provided further*, That the executive director of the Kansas dental board shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 39.

STATE BOARD OF MORTUARY ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mortuary arts fee fund	
For the fiscal year ending June 30, 2016.....	\$306,862
For the fiscal year ending June 30, 2017.....	\$318,644

Sec. 40.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Hearing instrument board fee fund	
For the fiscal year ending June 30, 2016.....	\$25,657

For the fiscal year ending June 30, 2017.....\$26,448

Hearing instrument litigation fund  
 For the fiscal year ending June 30, 2016.....\$3,500

*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....\$3,500

*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2016, the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments, with the approval of the director of the budget, may transfer moneys from the hearing instrument board fee fund to the hearing instrument litigation fund of the Kansas board of examiners in fitting and dispensing of hearing instruments: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$3,500: *Provided further*, That the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments, with the approval of the director of the budget, may transfer moneys from the hearing instrument board fee fund to the hearing instrument litigation fund of the Kansas board of examiners in fitting and dispensing of hearing instruments: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$3,500: *Provided*

further; That the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 41.

BOARD OF NURSING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of nursing fee fund  
For the fiscal year ending June 30, 2016.....\$2,397,402

Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2017.....\$2,430,848

Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$500.

Gifts and grants fund

For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

Education conference fund

For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

Criminal background and fingerprinting fund

For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

Sec. 42.

BOARD OF EXAMINERS IN OPTOMETRY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry fee fund  
For the fiscal year ending June 30, 2016.....\$107,277

*Provided*, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$600.

For the fiscal year ending June 30, 2017.....\$109,591

*Provided*, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$600.

Optometry litigation fund  
For the fiscal year ending June 30, 2016.....No limit

*Provided*, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Criminal history fingerprinting fund  
For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

(b) During the fiscal year ending June 30, 2016, the executive officer of the board of examiners in optometry, with the approval of the director of the budget, may transfer moneys from the optometry fee fund to the optometry litigation fund of the board of examiners in optometry: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$50,000: *Provided further*, That the

executive officer of the board of examiners in optometry shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive officer of the board of examiners in optometry, with the approval of the director of the budget, may transfer moneys from the optometry fee fund to the optometry litigation fund of the board of examiners in optometry: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$50,000: *Provided further*, That the executive officer of the board of examiners in optometry shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 43.

STATE BOARD OF PHARMACY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State board of pharmacy fee fund  
For the fiscal year ending June 30, 2016.....\$1,209,866

*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,500.

For the fiscal year ending June 30, 2017.....\$1,138,888

*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,500.

State board of pharmacy litigation fund  
For the fiscal year ending June 30, 2016.....No limit

*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Harold Rogers prescription federal fund  
For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

NASPER grant federal fund  
For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

Non-federal gifts and grants fund  
For the fiscal year ending June 30, 2016.....No limit

*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2016: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2016 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2017: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2017 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant



to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

SAMSHA PMP integration federal fund

For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

(b) During the fiscal year ending June 30, 2016, the executive director of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund to the state board of pharmacy litigation fund of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$50,000: *Provided further*, That the executive director of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive director of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund to the state board of pharmacy litigation fund of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$50,000: *Provided further*, That the executive director of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 44.

REAL ESTATE APPRAISAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Appraiser fee fund  
For the fiscal year ending June 30, 2016.....\$237,713

*Provided*, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$375.

For the fiscal year ending June 30, 2017.....\$243,286

*Provided*, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$375.

Federal registry clearing fund

For the fiscal year ending June 30, 2016.....No limit  
For the fiscal year ending June 30, 2017.....No limit

AMC federal registry clearing fund  
 For the fiscal year ending June 30, 2016.....No limit  
 For the fiscal year ending June 30, 2017.....No limit

Appraisal management companies fee fund  
 For the fiscal year ending June 30, 2016.....\$78,739  
 For the fiscal year ending June 30, 2017.....\$80,598

Sec. 45.

KANSAS REAL ESTATE COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Real estate fee fund  
 For the fiscal year ending June 30, 2016.....\$1,004,286

*Provided,* That expenditures from the real estate fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$200.

For the fiscal year ending June 30, 2017.....\$1,037,746

*Provided,* That expenditures from the real estate fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$200.

Real estate recovery revolving fund  
 For the fiscal year ending June 30, 2016.....No limit  
 For the fiscal year ending June 30, 2017.....No limit

Background investigation fee fund  
 For the fiscal year ending June 30, 2016.....No limit

*Provided,* That notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

For the fiscal year ending June 30, 2017.....No limit

*Provided,* That notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the

Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

(b) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 58-3068, and amendments thereto, or any other statute, of the amount appropriated for the above agency from any special revenue fund or funds for fiscal year 2016 that is budgeted for the purpose of information technology projects or services, expenditures shall not be made from such budgeted amount by the above agency from any special revenue fund or funds for any other purpose.

(c) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 58-3068, and amendments thereto, or any other statute, of the amount appropriated for the above agency from any special revenue fund or funds for fiscal year 2017 that is budgeted for the purpose of information technology projects or services, expenditures shall not be made from such budgeted amount by the above agency from any special revenue fund or funds for any other purpose.

Sec. 46.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Securities act fee fund  
For the fiscal year ending June 30, 2016.....\$3,096,811

*Provided*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2017.....\$3,158,462

*Provided*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$2,000.

Investor education fund  
For the fiscal year ending June 30, 2016.....No limit

*Provided*, That expenditures from the investor education fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$5,000.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That expenditures from the investor education fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$5,000.

Sec. 47.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technical professions fee fund  
For the fiscal year ending June 30, 2016.....\$634,025

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2017.....\$643,692

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund  
For the fiscal year ending June 30, 2016.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Sec. 48.

STATE BOARD OF VETERINARY EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Veterinary examiners fee fund  
For the fiscal year ending June 30, 2017.....\$394,343

Sec. 49.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures  
For the fiscal year ending June 30, 2016.....\$369,717

*Provided,* That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

For the fiscal year ending June 30, 2017.....\$382,551

*Provided,* That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Governmental ethics commission fee fund  
For the fiscal year ending June 30, 2016.....\$246,577  
For the fiscal year ending June 30, 2017.....\$263,520

Sec. 50.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Legislative coordinating council – operations.....\$540,717

*Provided,* That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Legislative research department – operations.....\$3,585,101

*Provided*, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Office of revisor of statutes – operations.....\$3,058,904

*Provided*, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund.....No limit

Sec. 51.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Legislative coordinating council – operations.....\$539,114

*Provided*, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Legislative research department – operations.....\$3,585,504

*Provided*, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Office of revisor of statutes – operations.....\$3,057,448

*Provided*, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund.....No limit

Sec. 52.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operations (including official hospitality).....\$12,915,607

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2016 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2016: *And*

*provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information system.....	\$4,387,146
Jordan-legislative claim.....	\$107,878
Efficiency analysis review.....	\$3,000,000

*Provided*, That expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2016, to enter into a contract with a professional consulting service to assist in the review and evaluation of state government: *Provided further*, That such review and evaluation shall include examining state agency core functions, procedures and efficiencies which may result in the consolidation of state agencies and functions, resulting in an overall reduction in expenditures: *And provided further*, That the legislative budget committee shall have the authority to develop a scope statement, draft a request for proposal, and solicit bids in an amount not to exceed \$3,000,000 for such a review and evaluation: *And provided further*, That the legislative coordinating council shall approve any such contract: *And provided further*, That such consulting service shall provide a preliminary report to the house appropriations committee and the senate ways and means committee on or before January 1, 2016: *And provided further*, That as used in this subsection, "state agency" means each state agency in this or other appropriation act of the 2015 regular session of the legislature, except that "state agency" shall not include: The legislature or any agency of the legislative branch of state government; or the judicial branch or any agency of the judicial branch of state government.



(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund.....No limit

*Provided*, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2016 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of

representatives to each member of the legislature during fiscal year 2016: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2016: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2016: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2016.

Capitol restoration – gifts and donations fund.....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and Kancare oversight, capitol restoration commission, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 53.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operations (including official hospitality).....\$12,880,354

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto,

for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*; That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*; That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2017 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2017: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2017: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2017: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2017: *And provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*; That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*; That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*; That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information system.....\$4,301,391

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund.....No limit

*Provided*, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2017 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the

legislature during fiscal year 2017: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2017: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2017: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2017.

Capitol restoration – gifts and donations fund.....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and Kancare oversight, capitol restoration commission, redistricting advisory group, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 54.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operations (including legislative post audit committee).....\$2,352,344

*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Audit services fund.....No limit

*Provided*, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund.....No limit

State agency audits fund.....No limit

(c) Notwithstanding the provisions of any statute, during the fiscal year ending June 30, 2016, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2016, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2015 regular session of the legislature, to pay for any monumental building surcharge charged by the department of administration or any other state agency. During the fiscal year ending June 30, 2016, the above agency shall not be liable to pay and shall be exempt from such surcharge.

(d) In addition to other purposes for which expenditures may be made by the division of post audit from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the division of post audit from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to conduct information technology audits as directed by the legislative post audit committee: *Provided*, That audit work performed under this section may include: (1) Assessment of security practices of information technology systems maintained or administered by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto; and (2) continuous audits of ongoing information technology projects by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto, including systems development and implementation: *Provided further*, That written reports on the results of such auditing shall be furnished to the governor, the entity which is being audited, the chief information technology officers of the executive, legislative and judicial branches, the legislative post audit committee, the joint committee on information technology and such other persons or agencies as may be required by law or by the specifications of the audit or as otherwise directed by the legislative post audit committee: *And provided further*, That the provisions of K.S.A. 46-1106(g), and amendments thereto, shall apply to any audit or audit work conducted pursuant to this section: *And provided further*, That, notwithstanding the provisions of K.S.A. 46-1128, and amendments thereto, or

any other statute, the legislative post auditor may report in writing outside of a regularly scheduled meeting to the legislative post audit committee, the joint committee on information technology, and the chief information technology officers of the executive, legislative and judicial branches, when, in the opinion of the post auditor, it appears that an information technology project being audited is at risk due to a failure to meet key milestones, or failure to receive sufficient deliverables after a contract payment, significant cost overruns, or when the post auditor finds the project is not being efficiently and effectively implemented in accordance with its original stated purpose and goals.

Sec. 55.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operations (including legislative post audit committee).....\$2,349,908

*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund.....No limit

*Provided*, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund.....No limit

State agency audits fund.....No limit

(c) Notwithstanding the provisions of any statute, during the fiscal year ending June 30, 2017, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2015 or 2016 regular session of the legislature, to pay for any monumental building surcharge charged by the department of administration or any other state agency. During the fiscal



year ending June 30, 2017, the above agency shall not be liable to pay and shall be exempt from such surcharge.

(d) In addition to other purposes for which expenditures may be made by the division of post audit from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 as authorized by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the division of post audit from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to conduct information technology audits as directed by the legislative post audit committee: *Provided*, That audit work performed under this section may include: (1) Assessment of security practices of information technology systems maintained or administered by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto; and (2) continuous audits of ongoing information technology projects by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto, including systems development and implementation: *Provided further*, That written reports on the results of such auditing shall be furnished to the governor, the entity which is being audited, the chief information technology officers of the executive, legislative and judicial branches, the legislative post audit committee, the joint committee on information technology and such other persons or agencies as may be required by law or by the specifications of the audit or as otherwise directed by the legislative post audit committee: *And provided further*, That the provisions of K.S.A. 46-1106(g), and amendments thereto, shall apply to any audit or audit work conducted pursuant to this section: *And provided further*, That, notwithstanding the provisions of K.S.A. 46-1128, and amendments thereto, or any other statute, the legislative post auditor may report in writing outside of a regularly scheduled meeting to the legislative post audit committee, the joint committee on information technology, and the chief information technology officers of the executive, legislative and judicial branches, when, in the opinion of the post auditor, it appears that an information technology project being audited is at risk due to a failure to meet key milestones, or failure to receive sufficient deliverables after a contract payment, significant cost overruns, or when the post auditor finds the project is not being efficiently and effectively implemented in accordance with its original stated purpose and goals.

Sec. 56.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Governor's department.....\$2,106,327

*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants.....\$3,606,280



*Provided*, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers.....\$799,863

*Provided*, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

Lieutenant governor – operations.....\$166,569

*Provided*, That any unencumbered balance in the lieutenant governor operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the lieutenant governor – operations account for official hospitality and contingencies without limitation at the discretion of the lieutenant governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2016, by subsection (a) from the state general fund in the governor's department account.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2016, by subsection (a) from the state general fund in the lieutenant governor – operations account.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund.....No limit

*Provided*, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences

shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Lieutenant governor special programs fund.....No limit

*Provided*, That expenditures may be made from the lieutenant governor special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*; That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the lieutenant governor special program fund.

Hispanic and Latino American affairs fee fund.....No limit

Miscellaneous projects fund.....No limit

*Provided*, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund.....No limit

*Provided*, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall

be credited to the intragovernmental service fund.

Conversion of materials and equipment fund.....	No limit
Federal grants fund.....	No limit
Justice assistance grant – federal fund.....	No limit
Hispanic and Latino American affairs commission – donations fund.....	No limit
Advisory commission on African-American affairs – donations fund.....	No limit
Kansas commission on disability concerns fee fund.....	No limit
Kansas commission on disability concerns – gifts, grants and donations fund.....	No limit
Domestic violence grants fund.....	No limit

*Provided*, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund.....	No limit
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(e) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,343 from the medicaid fraud prosecution revolving fund of the attorney general to the domestic violence grants fund of the governor's department.

(f) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$33,348 from the medicaid fraud prosecution revolving fund of the attorney general to the child advocacy centers grants fund of the governor's department.

Sec. 57.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Governor's department.....	\$2,145,349
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*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants.....\$3,605,882

*Provided*, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers.....\$799,763

*Provided*, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

Lieutenant governor – operations.....\$169,704

*Provided*, That any unencumbered balance in the lieutenant governor – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures may be made from the lieutenant governor – operations account for official hospitality and contingencies without limitation at the discretion of the lieutenant governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2017, by subsection (a) from the state general fund in the governor's department account.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2017, by subsection (a) from the state general fund in the lieutenant governor – operations account.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Special programs fund.....No limit

*Provided*, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Lieutenant governor special programs fund.....No limit

*Provided*, That expenditures may be made from the lieutenant governor special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*, That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the lieutenant governor special program fund.

Hispanic and Latino American affairs fee fund.....No limit

Miscellaneous projects fund.....No limit

*Provided*, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund.....No limit

*Provided*, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intragovernmental service fund.

- Conversion of materials and equipment fund.....No limit
- Federal grants fund.....No limit
- Justice assistance grant – federal fund.....No limit
- Hispanic and Latino American affairs commission –  
donations fund.....No limit
- Advisory commission on African-American affairs –  
donations fund.....No limit
- Kansas commission on disability concerns fee fund.....No limit
- Kansas commission on disability concerns – gifts, grants  
and donations fund.....No limit
- Domestic violence grants fund.....No limit

*Provided*, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

- Child advocacy centers grant fund.....No limit

(e) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,343 from the medicaid fraud prosecution revolving fund of the attorney general to the domestic violence grants fund of the governor's department.

(f) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$33,348 from the medicaid fraud prosecution revolving fund of the attorney general to the child advocacy centers grants fund of the

governor's department.  
Sec. 58.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$4,698,691

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs.....\$78,000

*Provided*, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Abuse, neglect and exploitation unit.....\$119,090

*Provided*, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants.....\$75,000

Child exchange and visitation centers.....\$128,000

*Provided*, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2016, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse.....\$519,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund.....No limit

Court cost fund.....	No limit
Bond transcript review fee fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Attorney general's antitrust special revenue fund.....	No limit
Private gifts fund.....	No limit
Medicaid fraud reimbursement fund.....	No limit
Medicaid fraud control unit.....	No limit
Attorney general's antitrust suspense fund.....	No limit
Attorney general's consumer protection clearing fund.....	No limit
Attorney general's committee on crime prevention fee fund.....	No limit

*Provided*, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund.....	No limit
Crime victims compensation fund.....	No limit

*Provided*, That expenditures from the crime victims compensation fund for state operations shall not exceed \$471,058: *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.



Crime victims assistance fund.....No limit

Protection from abuse fund.....No limit

Crime victims grants and gifts fund.....No limit

*Provided,* That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer intervention program certification fund.....No limit

Debt collection administration cost recovery fund.....No limit

*Provided,* That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund.....No limit

*Provided,* That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further,* That, notwithstanding the provisions of K.S.A. 2014 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation fund.....No limit

*Provided,* That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund.....	No limit
Children's advocacy center fund.....	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund.....	No limit
Concealed weapon licensure fund.....	No limit
Tobacco master settlement agreement compliance fund.....	No limit
Sexually violent predator expense fund.....	No limit
County law enforcement equipment fund.....	No limit
Child exchange and visiting centers fund.....	No limit
Roofing contractor registration fund.....	No limit
State medicaid fraud control unit – federal fund.....	No limit
Com def sol – violence against women federal fund.....	No limit
Crime victims compensation federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
Comm prsct/project safe neighborhood federal fund.....	No limit
Public safety prtnt/comm pol fund.....	No limit
Anti-gang initiative federal fund.....	No limit
Alcohol impaired driving cntrmsr federal fund.....	No limit
Children's justice grant federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit

Medicaid indirect cost federal fund.....	No limit
Federal forfeiture fund.....	No limit
SSA fraud prevention federal fund.....	No limit
False claims litigation revolving fund.....	No limit

*Provided*, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2014 Supp. 75-7501 et seq., and amendments thereto.

GTEAP federal fund.....	No limit
Ed Byrne memorial justice assistance grant federal fund.....	No limit
911 state maintenance fund.....	No limit
911 federal grant fund.....	No limit
DOT prohibit racial profiling.....	No limit
Human trafficking victim assistance fund.....	No limit
Criminal appeals cost fund.....	No limit
Attorney general's open government fund.....	No limit

(c) During the fiscal year ending June 30, 2016, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2016, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the attorney general to another item of appropriation for fiscal year 2016 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of

accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund.

Sec. 59.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$4,860,924

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs.....\$78,000

*Provided*, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Abuse, neglect and exploitation unit.....\$123,063

*Provided*, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants.....\$75,000

Child exchange and visitation centers.....\$128,000

*Provided*, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2017, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse.....\$519,000

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Private detective fee fund.....No limit
- Court cost fund.....No limit
- Bond transcript review fee fund.....No limit
- Conversion of materials and equipment fund.....No limit
- Attorney general's antitrust special revenue fund.....No limit
- Private gifts fund.....No limit
- Medicaid fraud reimbursement fund.....No limit
- Medicaid fraud control unit.....No limit
- Attorney general's antitrust suspense fund.....No limit
- Attorney general's consumer protection clearing fund.....No limit
- Attorney general's committee on crime prevention fee fund.....No limit

*Provided*, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

- Tort claims fund.....No limit
- Crime victims compensation fund.....No limit

*Provided*, That expenditures from the crime victims compensation fund for state operations shall not exceed \$471,058: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund.....No limit

Protection from abuse fund.....No limit

Crime victims grants and gifts fund.....No limit

*Provided*, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer intervention program certification fund.....No limit

Debt collection administration cost recovery fund.....No limit

*Provided*, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund.....No limit

*Provided*, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation fund.....No limit

*Provided*, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2)

expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund.....	No limit
Children's advocacy center fund.....	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund.....	No limit
Concealed weapon licensure fund.....	No limit
Tobacco master settlement agreement compliance fund.....	No limit
Sexually violent predator expense fund.....	No limit
County law enforcement equipment fund.....	No limit
Child exchange and visiting centers fund.....	No limit
Roofing contractor registration fund.....	No limit
State medicaid fraud control unit – federal fund.....	No limit
Com def sol – violence against women federal fund.....	No limit
Crime victims compensation federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
Comm prsct/project safe neighborhood federal fund.....	No limit
Public safety prtnt/comm pol fund.....	No limit
Anti-gang initiative federal fund.....	No limit

Alcohol impaired driving cntnrmsr federal fund.....	No limit
Children's justice grant federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Medicaid indirect cost federal fund.....	No limit
Federal forfeiture fund.....	No limit
SSA fraud prevention federal fund.....	No limit
False claims litigation revolving fund.....	No limit

*Provided*, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2014 Supp. 75-7501 et seq., and amendments thereto.

GTEAP federal fund.....	No limit
Ed Byrne memorial justice assistance grant federal fund.....	No limit
911 state maintenance fund.....	No limit
911 federal grant fund.....	No limit
DOT prohibit racial profiling.....	No limit
Human trafficking victim assistance fund.....	No limit
Criminal appeals cost fund.....	No limit
Attorney general's open government fund.....	No limit

(c) During the fiscal year ending June 30, 2017, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth



fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2017, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the attorney general to another item of appropriation for fiscal year 2017 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund.

Sec. 60.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund.....No limit

HAVA ELVIS fund.....No limit

Conversion of materials and equipment fund.....No limit

Information and services fee fund.....No limit

*Provided*, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund.....No limit

Uniform commercial code fee fund.....No limit

State flag and banner fund.....No limit

Secretary of state fee refund fund.....No limit

Electronic voting machine examination fund.....No limit

Credit card clearing fund.....No limit

Suspense fund.....No limit

Prepaid services fund.....	No limit
Athlete agent registration fee fund.....	No limit
Democracy fund.....	No limit

*Provided*, That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication fee fund.....	No limit
Help America Vote Act federal fund.....	No limit
HAVA Title I federal fund.....	No limit
Voting access – disabled individuals federal fund.....	No limit
Cemetery maintenance and merchandise fee fund.....	No limit
Franchise fee recovery fund.....	No limit

(b) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2016 by the above agency by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2016 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 61.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund.....	No limit
HAVA ELVIS fund.....	No limit

Conversion of materials and equipment fund.....No limit

Information and services fee fund.....No limit

*Provided,* That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund.....No limit

Uniform commercial code fee fund.....No limit

State flag and banner fund.....No limit

Secretary of state fee refund fund.....No limit

Electronic voting machine examination fund.....No limit

Credit card clearing fund.....No limit

Suspense fund.....No limit

Prepaid services fund.....No limit

Athlete agent registration fee fund.....No limit

Democracy fund.....No limit

*Provided,* That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication fee fund.....No limit

Help America Vote Act federal fund.....No limit

HAVA Title I federal fund.....No limit

Voting access – disabled individuals federal fund.....No limit

Cemetery maintenance and merchandise fee fund.....No limit

Franchise fee recovery fund.....No limit

(b) During the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2017 by the above agency by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2017 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 62.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund.....\$1,559,726

*Provided*, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2016, the state treasurer is hereby authorized and directed to credit the first \$1,559,726 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2016 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2016 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund.....No limit

Bond services fee fund.....No limit

City bond finance fund.....No limit

Local ad valorem tax reduction fund.....No limit

County and city revenue sharing fund.....	No limit
Suspense fund.....	No limit
County and city retailers' sales tax fund.....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund.....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund.....	No limit

*Provided*, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

County and city transient guest tax fund.....	No limit
Racing admissions tax fund.....	No limit
Rental motor vehicle excise tax fund.....	No limit
Transportation development district sales tax fund.....	No limit
Redevelopment bond fund.....	No limit
Municipal investment pool fund.....	No limit
Pooled money investment portfolio fee fund.....	No limit

*Provided*, That, on or before the fifth day of each month of the fiscal year ending June 30, 2016, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2016, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the

investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*; That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Special qualified industrial manufacturer fund.....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2016, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*; That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2014 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*; That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*; That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2014 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund.....No limit

*Provided*, That, notwithstanding the provisions of subsection (f) of K.S.A. 2014 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2016, for the purpose of matching

contributions of qualified applicants.

- Kansas postsecondary education savings expense fund.....No limit
- Conversion of materials and equipment fund.....No limit
- Tax increment financing revenue replacement fund.....No limit
- Spirit bonds fund.....No limit

*Provided*, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2016, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*; That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

- Learjet bond fund.....No limit

*Provided*, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2016, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And*

*provided further*; That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Siemens bond fund.....No limit

*Provided*, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2016, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*; That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....\$0

Telecommunications and railroad machinery and equipment tax reduction assistance fund.....\$0

Community improvement district sales tax fund.....No limit

Special economic revitalization fund.....No limit

Bioscience development and investment fund.....No limit



(b) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2016, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2016 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2016, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state treasurer operating fund of the state treasurer to the state general fund.

Sec. 63.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund.....\$1,582,666

*Provided*, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2017, the state treasurer is hereby authorized and directed to credit the first \$1,582,666 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2017 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2017 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund.....	No limit
Bond services fee fund.....	No limit
City bond finance fund.....	No limit
Local ad valorem tax reduction fund.....	No limit
County and city revenue sharing fund.....	No limit
Suspense fund.....	No limit
County and city retailers' sales tax fund.....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund.....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund.....	No limit

*Provided*, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

County and city transient guest tax fund.....	No limit
Racing admissions tax fund.....	No limit
Rental motor vehicle excise tax fund.....	No limit
Transportation development district sales tax fund.....	No limit
Redevelopment bond fund.....	No limit
Municipal investment pool fund.....	No limit
Pooled money investment portfolio fee fund.....	No limit

*Provided*, That, on or before the fifth day of each month of the fiscal year ending June 30, 2017, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*; That, prior to the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2017, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*; That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Special qualified industrial manufacturer fund.....	No limit
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*Provided*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2017, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund

established by this subsection: *And provided further*, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2014 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*, That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*, That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2014 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund.....No limit

*Provided*, That, notwithstanding the provisions of subsection (f) of K.S.A. 2014 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2017, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education savings expense fund.....No limit

Conversion of materials and equipment fund.....No limit

Tax increment financing revenue replacement fund.....No limit

Spirit bonds fund.....No limit

*Provided*, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2017, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall

transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*; That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Learjet bond fund.....No limit

*Provided*, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2017, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And provided further*; That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Siemens bond fund.....No limit

*Provided*, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2017, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the

director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....	\$0
Telecommunications and railroad machinery and equipment tax reduction assistance fund.....	\$0
Community improvement district sales tax fund.....	No limit
Special economic revitalization fund.....	No limit
Bioscience development and investment fund.....	No limit

(b) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2017, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and

any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2017 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2017, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

Sec. 64.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund.....No limit

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund.....No limit

*Provided*, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund.....No limit

Insurance company examiner training fund.....No limit

Conversion of materials and equipment fund.....No limit

Commissioner's travel reimbursement fund.....No limit

*Provided*, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any

designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided further*; That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund.....No limit

*Provided*, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund.....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*; That, pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2016 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*; That, as used in this proviso: (1) "2016 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2016; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2016 repayment amount" means the difference between the 2016 formula amount and the 2008 payment amount: *And provided further*; That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2016 shall not exceed the 2008 payment amount: *And provided further*; That the commissioner of insurance shall certify the 2016 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*; That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2016 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*; That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.



Insurance company tax and fee refund fund.....No limit

Group-funded workers' compensation pools fee fund.....No limit

*Provided*, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools fee fund.....No limit

*Provided*, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance plan fund.....No limit

Private grants and gifts fund.....No limit

Insurance education and training fund .....No limit

*Provided*, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*; That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement fund.....No limit

*Provided*, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*; That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund.....\$10,000

*Provided*, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2016 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the

state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund.....No limit

*Provided*, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Affordable care act – federal fund.....No limit

HHS consumer assistance grant – federal fund.....No limit

HHS exchange planning & establishment grant – federal fund.....No limit

HHS rate review grant – federal fund.....No limit

Professional employer organization fee fund.....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2016 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2016 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,000,000 from the insurance department service regulation fund of the insurance department to the state general fund.

Sec. 65.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund.....No limit

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*; That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund.....No limit

*Provided*, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund.....No limit

Insurance company examiner training fund.....No limit

Conversion of materials and equipment fund.....No limit

Commissioner's travel reimbursement fund.....No limit

*Provided*, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided further*; That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund.....No limit

*Provided*, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund.....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*; That, pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2017 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the

special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso: (1) "2017 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2017; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2017 repayment amount" means the difference between the 2017 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2017 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2017 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2017 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee refund fund.....No limit

Group-funded workers' compensation pools fee fund.....No limit

*Provided*, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools fee fund.....No limit

*Provided*, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance plan fund.....No limit

Private grants and gifts fund.....No limit

Insurance education and training fund .....No limit

*Provided*, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*; That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement fund.....No limit

*Provided*, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*; That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund.....\$10,000

*Provided*, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2017 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund.....No limit

*Provided*, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*; That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Affordable care act – federal fund.....No limit

HHS consumer assistance grant – federal fund.....No limit

HHS exchange planning & establishment grant – federal fund.....No limit

HHS rate review grant – federal fund.....	No limit
Professional employer organization fee fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2017 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2017 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,000,000 from the insurance department service regulation fund of the insurance department to the state general fund.

Sec. 66.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund.....	No limit
Conference fee fund.....	No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2016, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures.....	\$1,935,426
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*Provided*, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other claims expenses.....	No limit
Claims and benefits.....	No limit

Sec. 67.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund.....No limit

Conference fee fund.....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2017, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures.....\$1,994,885

*Provided*, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other claims expenses.....No limit

Claims and benefits.....No limit

Sec. 68.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Judicial council fund.....No limit

Grants and gifts fund.....No limit

*Provided*, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund.....No limit

Judicial performance fund.....No limit

(b) On June 30, 2016, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of

June 30, 2016, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 69.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Judicial council fund.....No limit
- Grants and gifts fund.....No limit

*Provided*, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

- Publications fee fund.....No limit
- Judicial performance fund.....No limit

(b) On June 30, 2017, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2017, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.



Sec. 70.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$12,931,837

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures.....\$10,050,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations.....\$1,331,307

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the capital defense operations account is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners.....\$289,592

Indigents' defense services operations.....\$156,847

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other

professional services related to contract cases.

Litigation support.....\$950,000

*Provided*, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Indigents' defense services fund.....No limit

*Provided*, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund.....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*; That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*; That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2016, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2016 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 71.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$13,308,664

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures.....\$10,050,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations.....\$1,372,257

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the capital defense operations account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners.....\$289,592

Indigents' defense services operations.....\$156,847

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support.....\$1,450,000

*Provided*, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Indigents' defense services fund.....No limit

*Provided*, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund.....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*; That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*; That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2017, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2017 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 72.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund.....No limit

*Provided*, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

- Kansas public employees deferred compensation fees fund.....No limit
- Group insurance reserve fund.....No limit
- Optional death benefit plan reserve fund.....No limit
- Kansas endowment for youth fund.....No limit
- Senior services trust fund.....No limit
- Family and children endowment account – family and children investment fund.....No limit
- Non-retirement administration fund.....No limit

*Provided*, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account – family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement-related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fund .....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2016: *And provided further*, That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2016.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2016, for the following specified purposes:

Agency operations.....\$11,925,367

*Provided,* That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses.....No limit

KPERS technology project.....No limit

(c) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2016, for the following specified purposes:

Agency operations.....\$105,047

Investment-related expenses.....No limit

(d) On July 1, 2015, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2015, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$51,200,000.

(e) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2101, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,578,000 from the Kansas endowment for youth fund to the state general fund.

(f) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas endowment for youth fund to the permanent families account - family and children investment fund of the judicial branch.

Sec. 73.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund.....No limit

*Provided,* That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

Kansas public employees deferred compensation fees fund.....	No limit
Group insurance reserve fund.....	No limit
Optional death benefit plan reserve fund.....	No limit
Kansas endowment for youth fund.....	No limit
Senior services trust fund.....	No limit
Family and children endowment account – family and children investment fund.....	No limit
Non-retirement administration fund.....	No limit

*Provided*, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account – family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement-related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fund .....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: *Provided further*; That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2017: *And provided further*; That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2017.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2017, for the following specified purposes:

Agency operations.....\$12,373,968

*Provided*, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses.....No limit

KPERS technology project.....No limit

(c) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2017, for the following specified purposes:

Agency operations.....\$112,421

Investment-related expenses.....No limit

(d) On July 1, 2016, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2016, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$49,200,000.

(e) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2101, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$8,100,000 from the Kansas endowment for youth fund to the state general fund.

(f) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas endowment for youth fund to the permanent families account - family and children investment fund of the judicial branch.

Sec. 74.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures .....\$1,045,193

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter



lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund .....No limit

Conversion of materials and equipment fund .....No limit

Annual banquet fund .....No limit

*Provided*, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet fund.

Education and training fund .....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 75.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures .....\$1,076,515

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3

of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund .....No limit

Conversion of materials and equipment fund .....No limit

Annual banquet fund .....No limit

*Provided*, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*; That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*; That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet fund.

Education and training fund .....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*; That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 76.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund.....No limit

Motor carrier license fees fund.....No limit

Conservation fee fund.....No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2017 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2016, 2017 and 2018.

Natural gas underground storage fee fund.....No limit

Gas pipeline inspection fee fund.....No limit

Special one-call – federal fund.....No limit

Compressed air energy storage fee fund.....\$0

Abandoned oil and gas well fund.....No limit

Facility conservation improvement program fund.....No limit

Gas pipeline safety program – federal fund.....No limit

Carbon dioxide injection well and underground storage fund.....\$0

Energy conservation plan – federal fund.....No limit

Energy efficiency revolving loan program – ARRA federal fund.....No limit

*Provided*, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and

other energy-related activities: *And provided further*; That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*; That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*; That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*; That moneys repaid to the energy efficiency revolving loan program moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*; That, on or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

- Vehicle information systems network – federal fund .....No limit
- Underground injection control class II – federal fund.....No limit
- One call – federal fund.....No limit
- Inservice education workshop fee fund.....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*; That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

- Unified carrier registration clearing fund.....No limit
- Credit card clearing fund.....No limit

Suspense fund.....	No limit
Well plugging assurance fund.....	No limit
Energy grants management fund.....	\$0
KETA administrative fund.....	No limit
KETA development fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2016, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2016 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2016, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$800,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$75,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

(f) Expenditures for the fiscal year ending June 30, 2016, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(g) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all

moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund, public service regulation fund and motor carrier license fee fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(h) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,000,000 from the conservation fee fund of the state corporation commission to the state general fund.

(i) On July 1, 2015, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the abandoned oil and gas well fund of the state corporation commission.

Sec. 77.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Public service regulation fund.....No limit
- Motor carrier license fees fund.....No limit
- Conservation fee fund.....No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*; That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*; That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*; That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*; That the state corporation commission shall include as part of the fiscal year 2017 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2017, 2018 and 2019.

- Natural gas underground storage fee fund.....No limit
- Gas pipeline inspection fee fund.....No limit

Special one-call – federal fund.....	No limit
Compressed air energy storage fee fund.....	\$0
Abandoned oil and gas well fund.....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program – federal fund.....	No limit
Carbon dioxide injection well and underground storage fund.....	\$0
Energy conservation plan – federal fund.....	No limit
Energy efficiency revolving loan program – ARRA federal fund.....	No limit

*Provided*, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Vehicle information systems network – federal fund .....	No limit
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Underground injection control class II – federal fund.....	No limit
One call – federal fund.....	No limit
Inservice education workshop fee fund.....	No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Unified carrier registration clearing fund.....	No limit
Credit card clearing fund.....	No limit
Suspense fund.....	No limit
Well plugging assurance fund.....	No limit
Energy grants management fund.....	\$0
KETA administrative fund.....	No limit
KETA development fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2017, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2017 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2017, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission,



which are in excess of \$800,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$75,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

(f) Expenditures for the fiscal year ending June 30, 2017, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(g) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund, public service regulation fund and motor carrier license fee fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(h) On July 1, 2016, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the abandoned oil and gas well fund of the state corporation commission.

Sec. 78.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund.....\$860,390

(b) During the fiscal year ending June 30, 2016, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility

regulatory fee fund for fiscal year 2016 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2015, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2015 may be expended from the utility regulatory fee fund for fiscal year 2016 pursuant to contracts for professional services and any such expenditure for fiscal year 2016 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2016.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2016, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 79.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund.....\$897,017

(b) During the fiscal year ending June 30, 2017, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund for fiscal year 2017 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2016, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2016 may be expended from the utility regulatory fee fund for fiscal year 2017 pursuant to contracts for professional services and any such expenditure for fiscal year 2017 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2017.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2017, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 80.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures .....\$5,424,069

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis.....\$1,417,070

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Long-term care ombudsman.....\$237,067

*Provided*, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service.....\$34,149,845

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, the following:

KPERS bond debt service.....\$33,396,102

Public broadcasting digital conversion debt service.....\$236,150

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund.....No limit

- State leave payment reserve fund.....No limit
- Building and ground fund.....No limit
- General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

- Human resource information systems cost recovery fund.....No limit
- Budget fees fund.....No limit

*Provided*, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*; That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*; That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

- Purchasing fees fund.....No limit

*Provided*, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*; That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*; That all fees received for such operating expenses shall

be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund.....No limit

*Provided*, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*; That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund.....No limit

Conversion of materials and equipment fund.....No limit

Architectural services equipment conversion fund.....No limit

Property contingency fund.....No limit

Flood control emergency – federal fund.....No limit

INK special revenue fund .....No limit

FICA reimbursements medical residents fund.....No limit

State buildings operating fund.....No limit

*Provided*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*; That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*; That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2014 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county including both state-owned and privately-owned buildings: *And provided further*; That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund.....No limit

*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*; That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund.....No limit

*Provided*, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*; That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund.....No limit

Intragovernmental printing service fund.....No limit

Intragovernmental printing service depreciation reserve fund.....No limit

Municipal accounting and training services recovery fund.....No limit

*Provided*, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

- Canceled warrants payment fund.....No limit
- State emergency fund.....No limit
- Bid and contract deposit fund.....No limit
- Federal withholding tax clearing fund.....No limit
- Financial management system development fund.....No limit

*Provided*, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

- State gaming revenues fund.....No limit
- Financial management system development fund – on budget.....No limit
- Construction defects recovery fund.....No limit
- Facilities conservation improvement fund.....No limit
- State revolving fund services fee fund.....No limit
- Conversion of materials and equipment – recycling program fund.....No limit
- Curtis office building maintenance reserve fund.....No limit

Equipment lease purchase program administration clearing fund.....	No limit
Suspense fund.....	No limit
Electronic funds transfer suspense fund.....	No limit
Surplus property program fund – on budget.....	No limit
Surplus property program fund – off budget.....	No limit
Older Americans act long-term care ombudsman federal fund.....	No limit
Long-term care ombudsman gift and grant fund.....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund.....	No limit
Wireless enhanced 911 grant fund.....	No limit
Landon state office building repair expense fund.....	No limit
MacVicar avenue assessment expense fund.....	No limit
Bioscience development fund.....	No limit
Docking state office building rehab, repair and razing fund.....	No limit
 <i>Provided, That expenditures shall be made from the Docking state office building rehab, repair and razing fund only for demolition of the Docking state office building and related reconstruction, relocation, and renovation of the power plant.</i>	
Digital imaging program fund.....	No limit

*Provided, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.*

(d) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to raze



building no. 3 (Docking state office building). However, no expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 by the department of administration to sell, lease, transfer or otherwise convey the land on which building no. 3 (Docking state office building) is situated.

(e) On July 1, 2015, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2016, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2016 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2016. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2015 and fiscal year 2016 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2016 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2016.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make

reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(i) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2016. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2016 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2016.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(j) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2016. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2016 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts

debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2016.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(k) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2016, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2016 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2016.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (g) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(l) During the fiscal year ending June 30, 2016, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the department of administration to another item of appropriation for fiscal year 2016 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(m) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, the following:

SIBF – state building insurance .....\$236,250

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(n) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2016, the following:

CIBF – state building insurance.....\$255,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(o) On July 1, 2015, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2016 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(p) (1) On July 1, 2015, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount transferred on or before June 30, 2015, pursuant to section 112(p)(8)(E) of chapter 136 of the 2013 Session Laws of Kansas, to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2015, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2016.

(3) (A) (i) Prior to August 15, 2015, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2016 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2016.

(ii) On or before June 30, 2016, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to

be expended from such reappropriated amount for fiscal year 2016, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (p)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2015, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2015 and which were not reappropriated for fiscal year 2016, as determined by the director of the budget: *Provided*, That, as used in this subsection (p)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2015 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2015 regular session of the legislature.

(C) Prior to August 15, 2015, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2014, that were released during fiscal year 2015, and that were not specifically reappropriated by an appropriation act of the 2015 regular session of the legislature.

(4) (A) On August 15, 2015, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p) (3)(A)(i), the appropriation for fiscal year 2016 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2016, by this or other appropriation act of the 2015 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3) (A)(i).

(B) On June 30, 2016, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3) (A)(ii), the appropriation for fiscal year 2016 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2016, by this or other appropriation act of the 2015 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3) (A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (p)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2015, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of

accounts and reports pursuant to this subsection (p): *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (p). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2015, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (p) (6), the appropriation for fiscal year 2016 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2016, by this or other appropriation act of the 2015 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (p)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (p), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2016.

(8) (A) On or before September 1, 2015, after receipt of each certification by the director of the budget pursuant to this subsection (p), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3) and subsection (p)(6) in accordance with such certifications.

(B) On September 1, 2015, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*; That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2015, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2016.

(D) On or before June 30, 2016, after receipt of each certification by the director of the budget pursuant to subsection (p)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which

is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2016, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*, That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2016.

(G) On June 30, 2016, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2016.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) and all reductions and adjustments thereto made pursuant to this subsection (p). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection (p), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

(10) The provisions of this subsection (p) shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (p);

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection (p), including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing



contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection (p), is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(12) On or after July 1, 2015, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27<sup>th</sup> payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(q) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2016, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(r) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund



during fiscal year 2016. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2016 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2016.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(s) (1) On or before June 30, 2016, the secretary of administration (A) shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund appropriated for fiscal year 2016 for the cabinet agency that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2016, and (B) shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2016, the director of the budget shall certify each amount appropriated from the state general fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *Provided further*, That, on or before June 30, 2016, the director of the budget shall certify each amount appropriated from each special revenue fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$15,000,000 or more.

(2) As used in this section, "cabinet agency" means the (A) department of administration, (B) department of revenue, (C) department of commerce, (D) department of labor, (E) department of health and environment, (F) Kansas department for aging and disability services, (G) Kansas department for children and families, (H) department of corrections, (I) adjutant general, (J) Kansas highway patrol, (K) Kansas department of agriculture, (L) Kansas department of wildlife, parks and tourism, and (M) department of transportation.

(t) On July 1, 2015, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$133,081 from the expanded lottery act revenues fund in the public broadcasting digital conversion debt service account to the state general fund.

(u) On July 1, 2015, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer \$300,000 from the purchasing fees fund of the department of administration to the state general fund.

Sec. 81.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures .....\$5,474,044

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis.....\$1,488,485

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Long-term care ombudsman.....\$242,514

*Provided*, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service.....\$65,317,724

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, the following:

KPERS bond debt service.....\$33,057,308

Public broadcasting digital conversion debt service.....\$574,944

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund.....No limit

State leave payment reserve fund.....No limit

Building and ground fund.....No limit

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*, That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*, That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*, That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost recovery fund.....No limit

Budget fees fund.....No limit

*Provided*, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*, That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund.....No limit

*Provided*, That expenditures may be made from the purchasing fees fund for

operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund.....No limit

*Provided*, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund.....No limit

Conversion of materials and equipment fund.....No limit

Architectural services equipment conversion fund.....No limit

Property contingency fund.....No limit

Flood control emergency – federal fund.....No limit

INK special revenue fund .....No limit

FICA reimbursements medical residents fund.....No limit

State buildings operating fund.....No limit

*Provided*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the

department of administration in providing services to state agencies relating to leases of real property: *Provided further*; That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*; That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2014 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately owned buildings: *And provided further*; That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund.....No limit

*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*; That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund.....No limit

*Provided*, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*; That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund.....No limit

- Intragovernmental printing service fund.....No limit
- Intragovernmental printing service depreciation reserve fund.....No limit
- Municipal accounting and training services recovery fund.....No limit

*Provided*, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

- Canceled warrants payment fund.....No limit
- State emergency fund.....No limit
- Bid and contract deposit fund.....No limit
- Federal withholding tax clearing fund.....No limit
- State gaming revenues fund.....No limit
- Construction defects recovery fund.....No limit
- Facilities conservation improvement fund.....No limit
- State revolving fund services fee fund.....No limit
- Conversion of materials and equipment – recycling program fund.....No limit
- Curtis office building maintenance reserve fund.....No limit
- Equipment lease purchase program administration clearing fund.....No limit
- Suspense fund.....No limit

Electronic funds transfer suspense fund.....	No limit
Surplus property program fund – on budget.....	No limit
Surplus property program fund – off budget.....	No limit
Older Americans act long-term care ombudsman federal fund.....	No limit
Long-term care ombudsman gift and grant fund.....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund.....	No limit
Wireless enhanced 911 grant fund.....	No limit
Landon state office building repair expense fund.....	No limit
MacVicar avenue assessment expense fund.....	No limit
Bioscience development fund.....	No limit
Docking state office building rehab, repair and razing fund.....	No limit
Digital imaging program fund.....	No limit

*Provided*, That expenditures shall be made from the Docking state office building rehab, repair and razing fund only for demolition of the Docking state office building and related reconstruction, relocation, and renovation of the power plant.

*Provided*, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.

(d) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 as authorized by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to raze building no. 3 (Docking state office building). However, no expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 by the department of administration to sell, lease, transfer or otherwise convey the land on which building no.

3 (Docking state office building) is situated.

(e) On July 1, 2016, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2017, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2017 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2017. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2016 and fiscal year 2017 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2017 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2017.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of



accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (k) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(i) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2017. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2017 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2017.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(j) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2017. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2017 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2017.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(k) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2017, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2017 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2017.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (h) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(l) During the fiscal year ending June 30, 2017, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the department of administration to another item of appropriation for fiscal year 2017 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(m) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, the following:

SIBF – state building insurance .....\$240,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building

insurance account of the state institutions building fund for state building insurance premiums.

(n) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2017, the following:

CIBF – state building insurance.....\$260,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(o) On July 1, 2016, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2017 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(p) (1) On July 1, 2016, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount transferred on or before June 30, 2016, pursuant to section 55(p)(8)(E) of this act, to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2017.

(3) (A) (i) Prior to August 15, 2016, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2017 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2017.

(ii) On or before June 30, 2017, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2017, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (p)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2016, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2016 and which were not reappropriated for fiscal year 2017, as determined by the director of the budget: *Provided*, That, as used in this subsection (p)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2015 or 2016 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2015 or 2016 regular session of the legislature.

(C) Prior to August 15, 2016, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2015, that were released during fiscal year 2016, and that were not specifically reappropriated by an appropriation act of the 2015 or 2016 regular session of the legislature.

(4) (A) On August 15, 2016, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(i), the appropriation for fiscal year 2017 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2017, by this or other appropriation act of the 2015 or 2016 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(i).

(B) On June 30, 2017, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(ii), the appropriation for fiscal year 2017 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2017, by this or other appropriation act of the 2015 or 2016 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (p)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2016, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (p): *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this

subsection for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (p). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2016, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (p) (6), the appropriation for fiscal year 2017 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2017, by this or other appropriation act of the 2015 or 2016 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (p)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (p), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2017.

(8) (A) On or before September 1, 2016, after receipt of each certification by the director of the budget pursuant to this subsection (p), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3) and subsection (p)(6) in accordance with such certifications.

(B) On September 1, 2016, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however;* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2017.

(D) On or before June 30, 2017, after receipt of each certification by the director of the budget pursuant to subsection (p)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2017, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state general fund to the master account of

the state general fund: *Provided, however*; That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2017.

(G) On June 30, 2017, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2006.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) and all reductions and adjustments thereto made pursuant to this subsection (p). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection (p), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

(10) The provisions of this subsection (p) shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (p);

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection (p), including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection (p), is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services

which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(12) On or after July 1, 2016, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27<sup>th</sup> payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(q) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2017, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(r) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2017. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2017 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act



revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2017.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(s) (1) On or before June 30, 2017, the secretary of administration (A) shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund appropriated for fiscal year 2017 for the cabinet agency that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2017, and (B) shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2017, the director of the budget shall certify each amount appropriated from the state general fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *Provided further*, That, on or before June 30, 2017, the director of the budget shall certify each amount appropriated from each special revenue fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$15,000,000 or more.

(2) As used in this section, "cabinet agency" means the (A) department of administration, (B) department of revenue, (C) department of commerce, (D) department of labor, (E) department of health and environment, (F) Kansas department for aging and disability services, (G) Kansas department for children and families, (H) department of corrections, (I) adjutant general, (J) Kansas highway patrol, (K) Kansas department of agriculture, (L) Kansas department of wildlife, parks and tourism, and (M) department of transportation.

(t) On July 1, 2016, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$134,082 from the expanded lottery act revenues fund in the public broadcasting digital conversion debt service account to the state general fund.

Sec. 82.

#### OFFICE OF INFORMATION TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall



not exceed the following:

Information technology fund.....No limit

*Provided,* That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund.....No limit

Public safety broadband services fund.....No limit

CJIS Byrne Grant – federal fund.....No limit

GIS contracting services fund.....No limit

State and local implementation grant – federal fund.....No limit

Sec. 83.

OFFICE OF INFORMATION TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund.....No limit

*Provided,* That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund.....No limit

Public safety broadband services fund.....No limit

CJIS Byrne Grant – federal fund.....No limit

GIS contracting services fund.....No limit

State and local implementation grant – federal fund.....No limit

Sec. 84.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund.....No limit

*Provided,* That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 85.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund.....No limit

*Provided,* That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 86.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$806,429

*Provided,* That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund.....\$4,000

BOTA filing fee fund.....\$1,009,375

(c) On July 1, 2015, the COTA filing fee fund of the state board of tax appeals is

hereby redesignated as the BOTA filing fee fund of the state board of tax appeals.  
Sec. 87.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$798,281

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund.....\$4,000

BOTA filing fee fund.....\$1,073,173

Sec. 88.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$13,550,878

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016:  
*Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund.....No limit

Division of vehicles operating fund.....\$46,570,956

*Provided*, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund:  
*Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post

auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund.....	No limit
Kansas qualified agricultural ethyl alcohol producer incentive fund.....	No limit
Kansas qualified biodiesel fuel producer incentive fund.....	No limit
Division of vehicles modernization fund.....	No limit
Kansas retail dealer incentive fund.....	No limit
Local report fee fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Forfeited property fee fund.....	No limit
Setoff services revenue fund.....	No limit
Publications fee fund.....	No limit
State bingo regulation fund.....	No limit
Child support enforcement contractual agreement fund.....	No limit
County treasurers' vehicle licensing fee fund.....	No limit
Tax amnesty recovery fund.....	No limit
Reappraisal reimbursement fund.....	No limit

*Provided*, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state court of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund.....No limit

*Provided*, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees.....No limit

Federal commercial motor vehicle safety fund.....No limit

State homeland security program federal fund.....No limit

Earned income tax credits – TANF – federal fund.....No limit

Central stores fund.....No limit

*Provided*, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*, That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Performance/registration information systems management federal fund.....No limit

Commercial vehicle information systems/network federal fund.....No limit

Temporary assistance – needy families federal fund.....No limit

Highway planning construction federal fund.....No limit

Immigration MOU federal fund.....No limit

Commercial drivers licensing state program federal fund.....No limit

- Real ID program federal fund.....No limit
- Microfilming fund.....No limit

*Provided*, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

- Miscellaneous trust bonds fund.....No limit
- Oil and gas valuation depletion trust fund.....No limit
- Liquor excise tax guarantee bond fund.....No limit
- Non-resident contractors cash bond fund.....No limit
- Bond guaranty fund.....No limit
- Interstate motor fuel user cash bond fund.....No limit
- Motor fuel distributor cash bond fund.....No limit
- Special county mineral production tax fund.....No limit
- State emergency fund – business restoration assistance.....No limit
- State emergency fund – southeast Kansas business recovery assistance.....No limit
- County drug tax fund.....No limit
- Escheat proceeds suspense fund.....No limit
- Privilege tax refund fund.....No limit
- Suspense fund.....No limit
- Cigarette tax refund fund.....No limit

Motor-vehicle fuel tax refund fund.....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund.....	No limit
Compensating tax refund fund.....	No limit
Alcoholic liquor tax refund fund.....	No limit
Cigarette/tobacco products regulation fund.....	No limit
Motor carrier tax refund fund.....	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit
Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund.....	No limit
Interfund clearing fund.....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund.....	No limit

Rental motor vehicle excise tax refund fund.....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund.....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund.....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund.....	No limit
VIPS/CAMA technology hardware fund.....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund – county and city sales tax.....	No limit
City and county compensating use tax clearing fund.....	No limit
County and city transient guest tax clearing fund.....	No limit
Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund.....	No limit
Electronic databases fee fund.....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other



electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund.....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement refund fund.....No limit

Distinctive license plate fund.....No limit

Repossessed certificates of title fee fund.....No limit

Hazmat fee fund.....No limit

Intra-governmental service fund.....No limit

Community improvement district sales tax administration fund.....No limit

Community improvement district sales tax refund fund.....No limit

Community improvement district sales tax clearing fund.....No limit

Drivers license first responders indicator federal fund.....No limit

Byrne grant national motor vehicle title information systems federal fund.....No limit

Enforcing underage drinking federal fund.....No limit

FDA tobacco program federal fund.....No limit

Commercial vehicle administrative system fund.....No limit

(c) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, the

director of accounts and reports shall transfer \$11,481,784 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2015, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2015, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2015, the director of accounts and reports shall transfer \$1,341,280 from the division of vehicles operating fund of the department of revenue to the state general fund.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2016, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the digital imaging program fund of the department of administration.

(h) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2016, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the criminal justice information system line fund of the attorney general – Kansas bureau of investigation.

(i) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2016, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the division of vehicles modernization fund of the department of revenue.

Sec. 89.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$15,137,182

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund.....No limit

Division of vehicles operating fund.....\$45,439,242

*Provided*, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund.....No limit

Kansas qualified agricultural ethyl alcohol producer incentive fund.....No limit

Kansas qualified biodiesel fuel producer incentive fund.....No limit

Division of vehicles modernization fund.....No limit

Kansas retail dealer incentive fund.....No limit

Local report fee fund.....No limit

Conversion of materials and equipment fund.....No limit

Forfeited property fee fund.....No limit

Setoff services revenue fund.....No limit

Publications fee fund.....No limit

State bingo regulation fund.....No limit

Child support enforcement contractual agreement fund.....No limit

- County treasurers' vehicle licensing fee fund.....No limit
- Tax amnesty recovery fund.....No limit
- Reappraisal reimbursement fund.....No limit

*Provided*, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*; That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state court of tax appeals under K.S.A. 79-1479, and amendments thereto.

- Special training fund.....No limit

*Provided*, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*; That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*; That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

- Recovery fund for enforcement actions and attorney fees.....No limit
- Federal commercial motor vehicle safety fund.....No limit
- State homeland security program federal fund.....No limit
- Earned income tax credits – TANF – federal fund.....No limit
- Central stores fund.....No limit

*Provided*, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*; That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Performance/registration information systems management federal fund.....	No limit
Commercial vehicle information systems/network federal fund.....	No limit
Temporary assistance – needy families federal fund.....	No limit
Highway planning construction federal fund.....	No limit
Immigration MOU federal fund.....	No limit
Commercial drivers licensing state program federal fund.....	No limit
Real ID program federal fund.....	No limit
Microfilming fund.....	No limit

*Provided*, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust bonds fund.....	No limit
Oil and gas valuation depletion trust fund.....	No limit
Liquor excise tax guarantee bond fund.....	No limit
Non-resident contractors cash bond fund.....	No limit
Bond guaranty fund.....	No limit
Interstate motor fuel user cash bond fund.....	No limit
Motor fuel distributor cash bond fund.....	No limit
Special county mineral production tax fund.....	No limit
State emergency fund – business restoration assistance.....	No limit

State emergency fund – southeast Kansas business recovery assistance.....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit
Privilege tax refund fund.....	No limit
Suspense fund.....	No limit
Cigarette tax refund fund.....	No limit
Motor-vehicle fuel tax refund fund.....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund.....	No limit
Compensating tax refund fund.....	No limit
Alcoholic liquor tax refund fund.....	No limit
Cigarette/tobacco products regulation fund.....	No limit
Motor carrier tax refund fund.....	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit

Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund.....	No limit
Interfund clearing fund.....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund.....	No limit
Rental motor vehicle excise tax refund fund.....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund.....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund.....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund.....	No limit
VIPS/CAMA technology hardware fund.....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund – county and city sales tax.....	No limit
City and county compensating use tax clearing fund.....	No limit

- County and city transient guest tax clearing fund.....No limit
- Automated tax systems fund.....No limit
- Dyed diesel fuel fee fund.....No limit
- Electronic databases fee fund.....No limit

*Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.*

- Photo fee fund.....No limit

*Provided, That, notwithstanding the provisions of K.S.A. 2014 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.*

- Estate tax abatement refund fund.....No limit
- Distinctive license plate fund.....No limit
- Repossessed certificates of title fee fund.....No limit
- Hazmat fee fund.....No limit
- Intra-governmental service fund.....No limit
- Community improvement district sales tax administration fund.....No limit
- Community improvement district sales tax refund fund.....No limit
- Community improvement district sales tax clearing fund.....No limit



Drivers license first responders indicator federal fund.....	No limit
Byrne grant national motor vehicle title information systems federal fund.....	No limit
Enforcing underage drinking federal fund.....	No limit
FDA tobacco program federal fund.....	No limit
Commercial vehicle administrative system fund.....	No limit

(c) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, the director of accounts and reports shall transfer \$11,481,784 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2016, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2016, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2016, the director of accounts and reports shall transfer \$2,172,408 from the division of vehicles operating fund of the department of revenue to the state general fund.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2017, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the digital imaging program fund of the department of administration.

(h) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2017, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the criminal justice information system line fund of the attorney general – Kansas bureau of investigation.

(i) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2017, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the division of vehicles modernization fund of the department of revenue.

Sec. 90.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund.....No limit

Lottery operating fund.....No limit

*Provided*, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.

Expanded lottery receipts fund.....No limit

Lottery gaming facility manager fund.....No limit

Expanded lottery act revenues fund.....\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, (1) an amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2015, and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2015, and on or before the 15<sup>th</sup> of each month thereafter through June 15, 2016: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2016: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2016 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15<sup>th</sup> of each month through June 15, 2016, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2016 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2016 is equal to or more than \$74,700,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2016 pursuant to this subsection shall be equal to or more than \$74,700,000: *And provided further*, That the transfers prescribed by this subsection shall

be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*; That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2016.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2016, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2016: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*; That, on or before June 25, 2016, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2016: *And provided further*; That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

Sec. 91.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund.....No limit

Lottery operating fund.....No limit

*Provided*, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.

Expanded lottery receipts fund.....No limit

Lottery gaming facility manager fund.....No limit

Expanded lottery act revenues fund.....\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, (1) an amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2016, and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2016, and on or before the 15<sup>th</sup> of each month thereafter through June 15, 2017: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2017: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2017 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15<sup>th</sup> of each month through June 15, 2017, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2017 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2017 is equal to or more than \$75,500,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2017 pursuant to this subsection shall be equal to or more than \$75,500,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2017.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2017, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2017: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 25, 2017, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2017: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund may be made, as authorized by provisions of K.S.A. 74-8711, and

amendments thereto, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

Sec. 92.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....No limit

*Provided*, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund.....No limit

Racing applicant deposit fund.....No limit

Kansas horse breeding development fund.....No limit

Kansas greyhound breeding development fund.....No limit

*Provided*, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2014 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*; That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2014 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund.....No limit

Horse fair racing benefit fund.....No limit

Tribal gaming fund.....No limit

*Provided*, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund.....No limit

*Provided*, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement fund.....No limit

Live greyhound racing purse supplement fund.....No limit

Greyhound promotion and development fund.....No limit

Gaming background investigation fund.....No limit

Gaming machine examination fund.....No limit

Education and training fund.....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*; That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*; That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund.....No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*; That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*; That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2015, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2016 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2016 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2016, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2016 for the Kansas racing and gaming commission by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2016 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2016, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2016, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2016, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix,

charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

(h) On July 1, 2015, during the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, expenditures shall be made by the above agency from any special revenue fund or funds for the purposes of compensation of members of the Kansas racing and gaming commission for performing the duties and functions of the commission, based on the daily rate of \$88.66 as provided in K.S.A. 46-137a, and amendments thereto. The members of the commission shall continue to be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 93.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....No limit

*Provided*, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund.....No limit

Racing applicant deposit fund.....No limit

Kansas horse breeding development fund.....No limit

Kansas greyhound breeding development fund.....No limit

*Provided*, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2014 Supp. 74-



8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*; That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2014 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund.....No limit

Horse fair racing benefit fund.....No limit

Tribal gaming fund.....No limit

*Provided*, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund.....No limit

*Provided*, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement fund.....No limit

Live greyhound racing purse supplement fund.....No limit

Greyhound promotion and development fund.....No limit

Gaming background investigation fund.....No limit

Gaming machine examination fund.....No limit

Education and training fund.....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*; That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*; That all fees received for hosting or providing such

training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund.....No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*; That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*; That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2016, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2017 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2017 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2017, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2017 for the Kansas racing and gaming commission by this or other appropriation act of the 2015 or 2016

regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2017 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2017, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2017, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2017, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

(h) On July 1, 2016, during the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, expenditures shall be made by the above agency from any special revenue fund or funds for the purposes of compensation of members of the Kansas racing and gaming commission for performing the duties and functions of the commission, based on the daily rate of \$88.66 as provided in K.S.A. 46-137a, and amendments thereto. The members of the commission shall continue to be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 94.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

Older Kansans employment program.....\$242,700

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2015, in the older Kansans employment program account is hereby reappropriated for fiscal year 2016.

Rural opportunity zones program.....\$1,752,475

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2015, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2016.

Senior community service employment program.....\$7,645

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2015, in the senior community service employment program account is hereby reappropriated for fiscal year 2016.

Strong military bases program.....\$195,461

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2015, in the strong military bases program account is hereby reappropriated for fiscal year 2016.

Governor's council of economic advisors.....\$178,070

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2015, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2016.

Innovation growth program.....\$1,354,061

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2015, in the innovation growth program account is hereby reappropriated for fiscal year 2016.

Creative arts industries commission.....\$190,046

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2015, in the creative arts industries commission account is hereby reappropriated for fiscal year 2016.

Employment incentive for persons with a disability.....\$431,712

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the employment incentive for persons with a disability account is hereby reappropriated for fiscal year 2016.

Operating grant (including official hospitality).....\$8,880,913

*Provided*, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants.....\$500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund.....No limit

Kan-grow engineering fund – KU.....\$3,500,000

Kan-grow engineering fund – KSU.....\$3,500,000

Kan-grow engineering fund – WSU.....\$3,500,000

Kansas creative arts industries commission special gifts fund.....No limit

Governor's council of economic advisors private operations fund.....No limit

Publication and other sales fund.....No limit

Conversion of equipment and materials fund.....No limit

Conference registration and disbursement fund .....No limit

Reimbursement and recovery fund.....No limit

- Community development block grant – federal fund.....No limit
- National main street center fund.....No limit
- IMPACT program services fund.....No limit
- IMPACT program repayment fund.....No limit
- Kansas partnership fund.....No limit

*Provided*, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

- General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

- Kansas existing industry expansion fund.....No limit

*Provided*, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.

- Athletic fee fund.....No limit
- WIA adult – federal fund.....No limit
- WIA youth activities – federal fund.....No limit
- WIA dislocated workers – federal fund.....No limit
- Trade adjustment assistance – federal fund.....No limit

Disabled veterans outreach program – federal fund.....	No limit
Local veterans employment representative program – federal fund.....	No limit
Wagner Peyser employment services – federal fund.....	No limit
Senior community service employment program – federal fund.....	No limit
Indirect cost – federal fund.....	No limit
State affordable airfare fund.....	No limit

*Provided*, That during the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,150, and amendments thereto, or any other statute, the above agency shall expend the moneys in the state affordable airfare fund as a grant given directly to any city or county which received moneys from the state affordable airfare fund during fiscal year 2015: *Provided further*, That such grants from such fund shall be in the same amount as was received in fiscal year 2015: *And Provided further*, That any city or county which receives such grant shall submit an annual report to the legislature on or before May 1, 2016: *And provided further*, That the annual report shall be delivered and the representatives of each such city or county shall appear in person to the house committee on commerce, labor and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*, That the secretary of commerce shall conduct an independent review of the financial reports submitted by the city or county and an analysis of the data used by the city or county: *And provided further*, That the secretary of commerce shall submit a report and appear in person to the house committee on commerce, labor and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*, That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.

Temporary labor certification foreign workers – federal fund.....	No limit
Work opportunity tax credit – federal fund.....	No limit
American job link alliance – federal fund.....	No limit
American job link alliance job corps – federal fund.....	No limit
Child care/development block grant – federal fund.....	No limit

Enterprise facilitation fund.....	No limit
Unemployment insurance – federal fund.....	No limit
State small business credit initiative – federal fund.....	No limit
SBA step grant – federal fund.....	No limit
H-1B technical skills training grant – federal fund.....	No limit
Creative arts industries commission gifts, grants and bequests – federal fund.....	No limit
State broadband data development – federal fund.....	No limit
Health profession opportunity – federal fund.....	No limit
Kansas creative arts industries commission checkoff fund.....	No limit
Workforce data quality initiative – federal fund.....	No limit
Dislocated worker training national emergency grant – federal fund.....	No limit
Second chance grant – federal fund.....	No limit

(c) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2016, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be



made from such special revenue fund or funds of the department of commerce for fiscal year 2016, in accordance with the provisions of this or other appropriation act of the 2015 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(d) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2016 for the department of commerce as authorized by this or other appropriation act of the 2015 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2016 for official hospitality.

(e) On or after July 1, 2015, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,150, and amendments thereto, or any other statute, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the city or county and the progress attained by the city or county during the fiscal year 2015 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport located in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department. Upon receipt of such certification from the secretary of commerce, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund to the state affordable airfare fund of the department of commerce.

(f) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(g) During the fiscal year ending June 30, 2016, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2016 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(h) On July 1, 2015, the director of accounts and reports shall transfer \$17,000,000 from the economic development initiatives fund to the state general fund.

Sec. 95.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

Older Kansans employment program.....\$242,563

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the older Kansans employment program account is hereby reappropriated for fiscal year 2017.

Rural opportunity zones program.....\$1,749,879

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2017.

Senior community service employment program.....\$7,589

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the senior community service employment program account is hereby reappropriated for fiscal year 2017.

Strong military bases program.....\$195,222

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the strong military bases program account is hereby reappropriated for fiscal year 2017.

Governor's council of economic advisors.....\$177,746

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2017.

Innovation growth program.....\$1,353,181

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the innovation growth program account is hereby reappropriated for fiscal year 2017.

Creative arts industries commission.....\$189,089

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the creative arts industries commission account is hereby reappropriated for fiscal year 2017.

Employment incentive for persons with a disability.....\$431,587

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the employment incentive for persons with a disability account is hereby reappropriated

for fiscal year 2017.

Operating grant (including official hospitality).....\$8,848,267

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: Provided further; That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants.....\$500,000

Provided, That any unencumbered balance in the public broadcasting grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Job creation program fund.....No limit
- Kan-grow engineering fund – KU.....\$3,500,000
- Kan-grow engineering fund – KSU.....\$3,500,000
- Kan-grow engineering fund – WSU.....\$3,500,000
- Kansas creative arts industries commission special gifts fund.....No limit
- Governor's council of economic advisors private operations fund.....No limit
- Publication and other sales fund.....No limit
- Conversion of equipment and materials fund.....No limit
- Conference registration and disbursement fund .....No limit
- Reimbursement and recovery fund.....No limit

- Community development block grant – federal fund.....No limit
- National main street center fund.....No limit
- IMPACT program services fund.....No limit
- IMPACT program repayment fund.....No limit
- Kansas partnership fund.....No limit

*Provided*, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

- General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

- Kansas existing industry expansion fund.....No limit

*Provided*, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.

- Athletic fee fund.....No limit
- WIA adult – federal fund.....No limit
- WIA youth activities – federal fund.....No limit
- WIA dislocated workers – federal fund.....No limit
- Trade adjustment assistance – federal fund.....No limit

Disabled veterans outreach program – federal fund.....	No limit
Local veterans employment representative program – federal fund.....	No limit
Wagner Peyser employment services – federal fund.....	No limit
Senior community service employment program – federal fund.....	No limit
Indirect cost – federal fund.....	No limit
Temporary labor certification foreign workers – federal fund.....	No limit
Work opportunity tax credit – federal fund.....	No limit
American job link alliance – federal fund.....	No limit
American job link alliance job corps – federal fund.....	No limit
Child care/development block grant – federal fund.....	No limit
Enterprise facilitation fund.....	No limit
Unemployment insurance – federal fund.....	No limit
State small business credit initiative – federal fund.....	No limit
Creative arts industries commission gifts, grants and bequests – federal fund.....	No limit
Kansas creative arts industries commission checkoff fund.....	No limit
Workforce data quality initiative – federal fund.....	No limit

(c) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2017, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the

department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2017, in accordance with the provisions of this or other appropriation act of the 2015 or 2016 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(d) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2017 for the department of commerce as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2017 for official hospitality.

(e) On or after July 1, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,150, and amendments thereto, or any other statute, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the city or county and the progress attained by the city or county during the fiscal year 2016 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport located in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department.

(f) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(g) During the fiscal year ending June 30, 2017, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2017 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(h) On July 1, 2016, the director of accounts and reports shall transfer \$17,000,000 from the economic development initiatives fund to the state general fund.

Sec. 96.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund.....No limit

*Provided*, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 97.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund.....No limit

*Provided*, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 98.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$314,903

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2016, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund.....	\$13,283,591
Occupational health and safety – federal fund.....	No limit
Employment security interest assessment fund.....	No limit
Special employment security fund.....	No limit
Employment security administration fund.....	No limit
Wage claims assignment fee fund.....	No limit
Employment security computer systems institute fund.....	No limit
Department of labor special projects fund.....	No limit
Federal indirect cost offset fund.....	\$107,116
Employment security fund.....	No limit
Labor force statistics federal fund.....	No limit
Compensation and working conditions federal fund.....	No limit
Employment services Wagner-Peyser funded activities federal fund.....	No limit
Dispute resolution fund.....	No limit

*Provided*, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*; That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

Indirect cost fund.....	No limit
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Workforce data quality initiative – federal fund.....No limit

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2016 as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2016 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2016 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,640,750.

Sec. 99.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$313,065

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2017, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund.....\$14,648,647

Occupational health and safety – federal fund.....No limit

Employment security interest assessment fund.....No limit

Special employment security fund.....No limit

Employment security administration fund.....No limit

Wage claims assignment fee fund.....No limit

Employment security computer systems institute fund.....	No limit
Department of labor special projects fund.....	No limit
Federal indirect cost offset fund.....	\$110,730
Employment security fund.....	No limit
Labor force statistics federal fund.....	No limit
Compensation and working conditions federal fund.....	No limit
Employment services Wagner-Peyser funded activities federal fund.....	No limit
Dispute resolution fund.....	No limit

*Provided*, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

Indirect cost fund.....	No limit
Workforce data quality initiative – federal fund.....	No limit

Sec. 100.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures – administration.....	\$563,215
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*Provided*, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating expenditures – veteran services.....\$1,396,948

*Provided*, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries .....\$550,338

*Provided*, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas soldiers' home.....\$1,724,395

*Provided*, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating expenditures – Kansas veterans' home.....\$1,690,788

*Provided*, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Scratch lotto – Kansas veterans' home.....\$100,060

Scratch lotto – veterans services.....\$538,516

Scratch lotto – Kansas soldiers' home.....\$177,716

Scratch lotto – veterans cemeteries.....\$225,840

Veterans claim assistance program – service grants.....\$600,000

*Provided*, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*; That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim

assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund.....	\$1,876,107
Soldiers' home benefit fund.....	No limit
Soldiers' home work therapy fund.....	No limit
Soldiers' home medicare fund.....	No limit
Soldiers' home medicaid fund.....	No limit
Soldiers' home canteen fund.....	No limit
Veterans' home medicare fund.....	No limit
Veterans' home medicaid fund.....	No limit
Veterans' home fee fund.....	\$2,424,485
Veterans' home canteen fund.....	No limit
Veterans' home benefit fund.....	No limit
Soldiers' home outpatient clinic fund.....	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund.....	No limit
Outpatient clinic patient federal reimbursement fund – federal.....	No limit
VA burial reimbursement fund – federal.....	No limit
Federal domiciliary per diem fund.....	\$1,493,981

Federal long term care per diem fund.....	\$6,840,838
Commission on veterans affairs federal fund.....	\$183,498
Kansas veterans memorials fund.....	No limit
Vietnam war era veterans' recognition award fund.....	No limit
Kansas hometown heroes fund.....	No limit

(c) (1) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2014 Supp. 73-1233, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (c), "special revenue fund" means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(d) During the fiscal year ending June 30, 2016, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2016 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2016, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director

of legislative research.

(f) During the fiscal year ending June 30, 2016, expenditures from the soldiers' home fee fund, veterans' home fee fund, federal domiciliary per diem fund, and federal long term care per diem fund shall not exceed the limitation established for fiscal year 2016 by this or other appropriation act of the 2015 or 2016 session of the legislature except upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(e), and amendments thereto.

Sec. 101.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures – administration.....\$556,942

*Provided*, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Operating expenditures – veteran services.....\$1,381,012

*Provided*, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries .....\$578,069

*Provided*, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas soldiers' home.....\$1,709,549

*Provided*, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Operating expenditures – Kansas veterans' home.....\$1,647,952

*Provided*, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2016, is hereby reappropriated

for fiscal year 2017.

Scratch lotto – Kansas veterans' home.....	\$100,060
Scratch lotto – veterans services.....	\$478,238
Scratch lotto – Kansas soldiers' home.....	\$131,645
Scratch lotto – veterans cemeteries.....	\$250,840
Veterans claim assistance program – service grants.....	\$600,000

*Provided*, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*, That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund.....	\$1,816,726
Soldiers' home benefit fund.....	No limit
Soldiers' home work therapy fund.....	No limit
Soldiers' home medicare fund.....	No limit
Soldiers' home medicaid fund.....	No limit
Soldiers' home canteen fund.....	No limit
Veterans' home medicare fund.....	No limit
Veterans' home medicaid fund.....	No limit

Veterans' home fee fund.....	\$2,581,461
Veterans' home canteen fund.....	No limit
Veterans' home benefit fund.....	No limit
Soldiers' home outpatient clinic fund.....	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund.....	No limit
Outpatient clinic patient federal reimbursement fund – federal.....	No limit
VA burial reimbursement fund – federal.....	No limit
Federal domiciliary per diem fund.....	\$1,459,145
Federal long term care per diem fund.....	\$6,121,833
Commission on veterans affairs federal fund.....	\$194,846
Kansas veterans memorials fund.....	No limit
Vietnam war era veterans' recognition award fund.....	No limit
Kansas hometown heroes fund.....	No limit

(c) (1) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2014 Supp. 73-1233, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (c), "special revenue fund" means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health



initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(d) During the fiscal year ending June 30, 2017, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2017 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2017, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund. The executive director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2017, expenditures from the soldiers' home fee fund, veterans' home fee fund, federal domiciliary per diem fund, and federal long term care per diem fund shall not exceed the limitation established for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 session of the legislature except upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto.

Sec. 102.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....\$3,718,551

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating expenditures (including official hospitality) –  
health.....\$1,909,890

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2015, is hereby

reappropriated for fiscal year 2016.

Vaccine purchases.....\$659,607

*Provided*, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Aid to local units.....\$4,805,709

*Provided*, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects.....\$7,948,690

*Provided*, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*; That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women's wellness.....\$94,296

*Provided*, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs.....\$447,418

*Provided*, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Breast cancer screening program.....\$219,336

*Provided*, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Ryan White matching funds.....\$47,682

*Provided*, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Pregnancy maintenance initiative.....\$338,846

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Cerebral palsy posture seating.....\$105,537

*Provided*, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

PKU treatment.....\$199,274

*Provided*, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Teen pregnancy prevention activities.....\$338,846

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance – federal fund.....No limit

Substance abuse and mental health services administration – federal fund.....No limit

Breast and cervical cancer program and detection – federal fund.....No limit

Health and environment training fee fund – health.....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2016, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2016 for agency operations for the division of public health.

Health facilities review fund.....No limit

Insurance statistical plan fund.....No limit

Health and environment publication fee fund – health.....No limit

*Provided*, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund.....No limit

Sponsored project overhead fund – health.....No limit

Tuberculosis elimination and laboratory – federal fund.....No limit

Maternity centers and child care facilities licensing fee fund.....	No limit
Child care and development block grant – federal fund.....	No limit
Federal supplemental funding for tobacco prevention and control – federal fund.....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund.....	No limit
Office of rural health – federal fund.....	No limit
Emergency medical services for children – federal fund.....	No limit
Primary care offices – federal fund.....	No limit
Injury intervention – federal fund.....	No limit
Oral health workforce activities – federal fund.....	No limit
Rural hospital flex program – federal fund.....	No limit
Hospital bioterrorism preparedness – federal fund.....	No limit
Kansas coalition against sexual and domestic violence – federal fund.....	No limit
ARRA migrant health – federal fund.....	No limit
ARRA child care development – federal fund.....	No limit
ARRA Kansas health information exchange project – federal fund.....	No limit
ARRA epidemiology and lab capacity – federal fund.....	No limit
ARRA women infants and children – federal fund .....	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit

- ARRA collaborative component III – federal fund.....No limit
- ARRA ambulatory surgical center ASC/HAI medicare – federal fund.....No limit
- ARRA prevention of healthcare associated infections – federal fund.....No limit
- Medicare – federal fund.....No limit
- Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2015 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.*
- Migrant health program – federal fund.....No limit
- Refugee health – federal fund.....No limit
- Strengthen public health immunization infrastructure – federal fund.....No limit
- Healthy homes and lead poisoning prevention – federal fund.....No limit
- Children's mercy hospital lead program – federal fund.....No limit
- Women, infants and children health program – federal fund.....No limit
- WIC health program fund – senior farmer's market – federal.....No limit
- Immunization and vaccines for children grants – federal fund.....No limit
- Home visiting grant – federal fund.....No limit
- Preventive health block grant – federal fund.....No limit
- Maternal and child health block grant – federal fund.....No limit
- National center for health statistics – federal fund.....No limit
- Title X family planning services program – federal fund.....No limit

Comprehensive STD prevention systems – federal fund.....	No limit
Children with special health care needs – federal fund.....	No limit
Make a difference information network – federal fund.....	No limit
Ryan White Title II – federal fund.....	No limit
Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund.....	No limit
SSA fee fund.....	No limit
Lead certification cooperation agreement – federal fund.....	No limit
Childhood lead poisoning prevention program – federal fund .....	No limit
State implementation projects for prevention of secondary conditions – federal fund .....	No limit
Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund .....	No limit
HIV/AIDS surveillance – federal fund .....	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund.....	No limit
State loan repayment program – federal fund .....	No limit
Opt-out testing initiative – federal fund .....	No limit
Kansas system for early registration of volunteers – federal fund .....	No limit
Cardiovascular health programs – federal fund .....	No limit
Adult lead surveillance data – federal fund .....	No limit

- Medical reserve corps contract – federal fund ..... No limit
- Trauma fund..... No limit

*Provided*, That expenditures may be made by the department of health and environment for fiscal year 2016 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: *Provided further*; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.

- Homeland security – federal fund .....No limit
- Homeland security real ID – federal fund .....No limit
- Special education state grants – federal fund.....No limit
- Refugee assistance – federal fund.....No limit
- Personal responsibility education program – federal fund.....No limit
- Mammography quality standards act – federal fund.....No limit
- Kansas vital records for quality improvement – federal fund..... No limit
- Kansas early detection works breast & cervical cancer screening services – federal fund..... No limit
- Kansas public health approaches for ensuring quitline capacity – federal fund..... No limit
- Diagnostic x-ray program – federal fund ..... No limit
- HRSA small hospital improvement grant program – federal fund .....No limit
- State indoor radon grant – federal fund .....No limit
- HUD lead hazard control program of Kansas City – federal fund.....No limit
- Gifts, grants and donations fund – health.....No limit
- Special bequest fund – health.....No limit



Civil registration and health statistics fee fund.....No limit

Power generating facility fee fund .....No limit

Nuclear safety emergency preparedness special revenue fund.....No limit

*Provided,* That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: *Provided further,* That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$1,000.

Radiation control operations fee fund.....No limit

*Provided,* That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

Lead-based paint hazard fee fund.....No limit

Strengthening public health infrastructure – federal fund.....No limit

Improving minority health – federal fund .....No limit

Abstinence education – federal fund.....No limit

Affordable care act – federal fund .....No limit

Carbon monoxide detector/fire injury prevention – federal fund.....No limit

Health information exchange – federal fund.....No limit

Kansas newborn screening fund.....No limit

Actions to prevent and control diabetes, heart disease, and obesity – federal fund.....No limit

Healthy start initiative – federal fund.....No limit

Immunization capacity building assistance – federal fund.....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2016, the following:

Healthy start.....\$237,914

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the healthy start account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the healthy start programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Infants and toddlers program.....\$5,800,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the infants and toddlers program account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the infants and toddlers programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Smoking prevention.....\$946,671

*Provided*, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the smoking prevention account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the smoking prevention programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Newborn hearing aid loaner program.....\$47,161

*Provided*, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the newborn hearing aid loaner program account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the newborn hearing aid loaner programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

SIDS network grant.....\$96,374

*Provided*, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the SIDS network grant account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the SIDS network programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2015, and on other occasions during fiscal year 2016 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – health of the department of health and environment – division of public health.

(e) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health, which have available moneys, to the sponsored project overhead fund – health of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(f) In addition to the other purposes for which expenditures may be made by the

department of health and environment – division of public health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2016 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2016 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of public health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2016 made by this or other appropriation act of the 2015 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(g) During the fiscal year ending June 30, 2016, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(h) During the fiscal year ending June 30, 2016, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2016, as authorized by this or other appropriation act of the 2015 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund for fiscal year 2016 pursuant to K.S.A. 22a-242, and amendments thereto.

(j) During the fiscal year ending June 30, 2016, subject to any applicable

requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by the department of health and environment – division of public health for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and, if any moneys remain, then, Second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services: *Provided*, That, as used in this subsection "hospitals" shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and "federally qualified health center" shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.

(k) On July 1, 2015, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(l) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the sponsored project overhead fund – health of the department of health and environment – division of public health to the state general fund.

Sec. 103.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$4,001,547

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Operating expenditures (including official hospitality) – health.....\$1,888,138

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Vaccine purchases.....\$659,607

*Provided*, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Aid to local units.....\$4,805,709

*Provided*, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects.....\$7,570,690

*Provided*, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*; That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women's wellness.....\$94,296

*Provided*, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs.....\$447,418

*Provided*, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Breast cancer screening program.....\$219,336

*Provided*, That any unencumbered balance in the breast cancer screening program

account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Ryan White matching funds.....\$47,682

*Provided*, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Pregnancy maintenance initiative.....\$338,846

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Cerebral palsy posture seating.....\$105,537

*Provided*, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

PKU treatment.....\$199,274

*Provided*, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Teen pregnancy prevention activities.....\$338,846

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance – federal fund.....No limit

Substance abuse and mental health services administration – federal fund.....No limit

Breast and cervical cancer program and detection – federal fund.....No limit

Health and environment training fee fund – health.....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2017, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2017 for agency operations for the division of public health.

Health facilities review fund.....No limit

Insurance statistical plan fund.....No limit

Health and environment publication fee fund – health.....No limit

*Provided*, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund.....No limit

Sponsored project overhead fund – health.....No limit

Tuberculosis elimination and laboratory – federal fund.....No limit

Maternity centers and child care facilities licensing fee fund.....No limit

Child care and development block grant – federal fund.....No limit



Federal supplemental funding for tobacco prevention and control – federal fund.....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund.....	No limit
Office of rural health – federal fund.....	No limit
Emergency medical services for children – federal fund.....	No limit
Primary care offices – federal fund.....	No limit
Injury intervention – federal fund.....	No limit
Oral health workforce activities – federal fund.....	No limit
Rural hospital flex program – federal fund.....	No limit
Hospital bioterrorism preparedness – federal fund.....	No limit
Kansas coalition against sexual and domestic violence – federal fund.....	No limit
ARRA migrant health – federal fund.....	No limit
ARRA child care development – federal fund.....	No limit
ARRA Kansas health information exchange project – federal fund.....	No limit
ARRA epidemiology and lab capacity – federal fund.....	No limit
ARRA women infants and children – federal fund .....	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit
ARRA collaborative component III – federal fund.....	No limit
ARRA ambulatory surgical center ASC/HAI medicare –	

federal fund.....No limit

ARRA prevention of healthcare associated infections – federal fund.....No limit

Medicare – federal fund.....No limit

*Provided*, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2017 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.

Migrant health program – federal fund.....No limit

Refugee health – federal fund.....No limit

Strengthen public health immunization infrastructure – federal fund.....No limit

Healthy homes and lead poisoning prevention – federal fund.....No limit

Children's mercy hospital lead program – federal fund.....No limit

Women, infants and children health program – federal fund.....No limit

WIC health program fund – senior farmer's market – federal.....No limit

Immunization and vaccines for children grants – federal fund.....No limit

Home visiting grant – federal fund.....No limit

Preventive health block grant – federal fund.....No limit

Maternal and child health block grant – federal fund.....No limit

National center for health statistics – federal fund.....No limit

Title X family planning services program – federal fund.....No limit

Comprehensive STD prevention systems – federal fund.....No limit

Children with special health care needs – federal fund.....	No limit
Make a difference information network – federal fund.....	No limit
Ryan White Title II – federal fund.....	No limit
Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund.....	No limit
SSA fee fund.....	No limit
Lead certification cooperation agreement – federal fund.....	No limit
Childhood lead poisoning prevention program – federal fund .....	No limit
State implementation projects for prevention of secondary conditions – federal fund .....	No limit
Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund .....	No limit
HIV/AIDS surveillance – federal fund .....	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund.....	No limit
State loan repayment program – federal fund .....	No limit
Opt-out testing initiative – federal fund .....	No limit
Kansas system for early registration of volunteers – federal fund .....	No limit
Cardiovascular health programs – federal fund .....	No limit
Adult lead surveillance data – federal fund .....	No limit
Medical reserve corps contract – federal fund .....	No limit

Trauma fund.....No limit

*Provided*, That expenditures may be made by the department of health and environment for fiscal year 2017 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: *Provided further*; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.

Homeland security – federal fund .....No limit

Homeland security real ID – federal fund .....No limit

Special education state grants – federal fund.....No limit

Refugee assistance – federal fund.....No limit

Personal responsibility education program – federal fund.....No limit

Mammography quality standards act – federal fund.....No limit

Kansas vital records for quality improvement – federal fund.....No limit

Kansas early detection works breast & cervical cancer screening services – federal fund.....No limit

Kansas public health approaches for ensuring quitline capacity – federal fundNo limit

Diagnostic x-ray program – federal fund .....No limit

HRSA small hospital improvement grant program – federal fund .....No limit

State indoor radon grant – federal fund .....No limit

HUD lead hazard control program of Kansas City – federal fund.....No limit

Gifts, grants and donations fund – health.....No limit

Special bequest fund – health.....No limit

Civil registration and health statistics fee fund.....No limit

Power generating facility fee fund .....No limit

Nuclear safety emergency preparedness special revenue fund.....No limit

*Provided,* That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: *Provided further,* That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$1,000.

Radiation control operations fee fund.....No limit

*Provided,* That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

Lead-based paint hazard fee fund.....No limit

Strengthening public health infrastructure – federal fund.....No limit

Improving minority health – federal fund .....No limit

Abstinence education – federal fund.....No limit

Affordable care act – federal fund .....No limit

Carbon monoxide detector/fire injury prevention – federal fund.....No limit

Health information exchange – federal fund.....No limit

Kansas newborn screening fund.....No limit

Actions to prevent and control diabetes, heart disease, and obesity – federal fund.....No limit

Healthy start initiative – federal fund.....No limit

Immunization capacity building assistance – federal fund.....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2017, the following:

Healthy start.....\$237,914

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the healthy start account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the healthy start programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Infants and toddlers program.....\$5,800,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the infants and toddlers program account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the infants and toddlers programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Smoking prevention.....\$946,671

*Provided*, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the smoking prevention account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the smoking prevention programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Newborn hearing aid loaner program.....\$47,161

*Provided*, That any unencumbered balance in the newborn hearing aid loaner

program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however;* That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the newborn hearing aid loaner program account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the newborn hearing aid loaner programs or grant recipients has been received by the children's cabinet: *Provided further;* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further;* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

SIDS network grant.....\$96,374

*Provided,* That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however;* That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the SIDS network grant account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the SIDS network programs or grant recipients has been received by the children's cabinet: *Provided further;* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further;* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2016, and on other occasions during fiscal year 2017 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – health of the department of health and environment – division of public health.

(e) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health, which have available moneys, to the sponsored project overhead fund – health of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(f) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2017 and from which expenditures may be made for salaries and wages, as

authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2017 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of public health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2017 made by this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(g) During the fiscal year ending June 30, 2017, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(h) During the fiscal year ending June 30, 2017, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2017, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund for fiscal year 2017 pursuant to K.S.A. 22a-242, and amendments thereto.

(j) During the fiscal year ending June 30, 2017, subject to any applicable requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by the department of health and environment – division of public health for family planning services financed in whole or in part from federal title X



moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and, if any moneys remain, then, Second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services: *Provided*, That, as used in this subsection "hospitals" shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and "federally qualified health center" shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.

(k) On July 1, 2016, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

Sec. 104.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Health policy operating expenditures .....\$10,051,271

*Provided*, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance.....\$661,573,849

*Provided*, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2016.

Children's health insurance program.....\$17,293,612

*Provided,* That any unencumbered balance in the children's health insurance program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Office of the inspector general.....\$79,635

*Provided,* That any unencumbered balance in the office of the inspector general account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund .....\$1,505,983

Cafeteria benefits fund .....No limit

*Provided,* That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2016, for salaries and wages and other operating expenditures shall not exceed \$4,375,362.

State workers compensation self-insurance fund.....No limit

*Provided,* That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2016, for salaries and wages and other operating expenditures shall not exceed \$4,090,512.

Dependent care assistance program fund .....No limit

*Provided,* That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2016, for salaries and wages and other operating expenditures shall not exceed \$3,026,787.

Non-state employer group benefit fund .....\$144,346

Division of health care finance special revenue fund .....No limit

*Provided,* That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000.

Health committee insurance fund.....No limit

Health care database fee fund .....	No limit
Association assistance plan fund.....	No limit
Medical programs fee fund .....	\$87,782,913
Medical assistance fee fund.....	No limit
Health benefits administration clearing fund – remit admin service org .....	No limit

*Provided*, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2016, for salaries and wages and other operating expenditures shall not exceed \$7,880,402.

Health insurance premium reserve fund.....	No limit
Other state fees fund .....	No limit
Health care access improvement fund.....	No limit
Children's health insurance program federal fund .....	No limit
State planning – health care – uninsured fund .....	No limit
Medicaid infrastructure grant – disability employment federal fund .....	No limit
HIV care formula grant federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Quality care fund.....	\$0
Quality based community assessment fund.....	No limit
Refugee and entrant assistance – state administered programs fund.....	No limit
KEES interagency transfer fund.....	No limit

Energy assistance block grant.....	No limit
Supplemental nutrition assistance program – admin.....	No limit
Temporary assistance for needy families.....	No limit
Title IV-E – adoption assistance.....	No limit

(c) During the fiscal year ending June 30, 2016, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2016, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2016, no expenditures shall be made by the secretary of health and environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(e) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to submit a report regarding the implementation of the executive reorganization order No. 43 to the legislature: *Provided*, That such report shall be submitted on or before January 1, 2017: *Provided further*, That such report shall include an evaluation of whether the transfer of the eligibility for medicaid services determination is effective in administering the program, utilizing the personnel and whether the payment error rate measurement (PERM) is decreased after the transfer.

(f) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to conduct

an audit of revenues and disbursements of the health care access improvement fund for the fiscal year ending June 30, 2015: *Provided*, That the health care access improvement panel shall provide a report in accordance with the provisions of K.S.A. 2014 Supp. 65-6218, and amendments thereto, to the 2016 legislature no later than February 15, 2016, with a plan to address the long-term sustainability of the health care access improvement program with funding only from the assessment revenues defined in K.S.A. 2014 Supp. 65-6207(g), and amendments thereto, other than for working capital needs.

Sec. 105.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Health policy operating expenditures .....\$10,874,322

*Provided*, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance .....\$676,570,074

*Provided*, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*; That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2017.

Children's health insurance program.....\$17,293,612

*Provided*, That any unencumbered balance in the children's health insurance program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Office of the inspector general.....\$78,945

*Provided*, That any unencumbered balance in the office of the inspector general

account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund .....\$1,517,593

Cafeteria benefits fund .....No limit

*Provided*, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$3,855,310.

State workers compensation self-insurance fund.....No limit

*Provided*, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$3,932,063.

Dependent care assistance program fund .....No limit

*Provided*, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$2,246,059.

Non-state employer group benefit fund .....\$143,190

Division of health care finance special revenue fund .....No limit

*Provided*, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000.

Health committee insurance fund.....No limit

Health care database fee fund .....No limit

Association assistance plan fund.....No limit

Medical programs fee fund ..... \$79,354,660

Medical assistance fee fund.....	No limit
Health benefits administration clearing fund – remit admin service org .....	No limit
<i>Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$7,890,000.</i>	
Health insurance premium reserve fund.....	No limit
Other state fees fund .....	No limit
Health care access improvement fund.....	No limit
Children's health insurance program federal fund .....	No limit
State planning – health care – uninsured fund .....	No limit
Medicaid infrastructure grant – disability employment federal fund .....	No limit
HIV care formula grant federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Quality care fund.....	\$0
Quality based community assessment fund.....	No limit
Refugee and entrant assistance – state administered programs fund.....	No limit
KEES interagency transfer fund.....	No limit
Energy assistance block grant.....	No limit
Supplemental nutrition assistance program – admin.....	No limit
Temporary assistance for needy families.....	No limit
Title IV-E – adoption assistance.....	No limit

(c) During the fiscal year ending June 30, 2017, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2017, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2017, no expenditures shall be made by the secretary of health and environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(e) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to submit a report regarding the implementation of the executive reorganization order No. 43 to the legislature: *Provided*, That such report shall be submitted on or before January 1, 2017: *Provided further*, That such report shall include an evaluation of whether the transfer of the eligibility for medicaid services determination is effective in administering the program, utilizing the personnel and whether the payment error rate measurement (PERM) is decreased after the transfer.

Sec. 106.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....\$4,293,457

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other



than refunds authorized by law shall not exceed the following:

- Mined-land conservation and reclamation fee fund.....No limit
- Publication fee fund – environment.....No limit
- Solid waste management fund.....No limit

*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2016, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

- Public water supply fee fund.....No limit
- Voluntary cleanup fund.....No limit
- Storage tank fee fund.....No limit
- Air quality fee fund.....No limit
- Hazardous waste collection fund.....No limit
- Health and environment training fee fund – environment.....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2016, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2016 for agency operations for the division of environment.

Driving under the influence fund.....No limit

Waste tire management fund.....No limit

Health and environment publication fee fund – environment.....No limit

*Provided*, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund.....No limit

Surface mining fee fund.....No limit

Kansas newborn screening fee fund.....No limit

Environmental response fund.....No limit

Sponsored project overhead fund – environment.....No limit

Chemical control fee fund.....No limit

QuantiFERON TB laboratory fund.....No limit

Resource conservation and recovery act – federal fund.....No limit

Superfund state cooperative agreements – federal fund.....No limit

Water supply – federal fund.....No limit

Air quality section 103 – federal fund.....No limit

EPA – core support – federal fund.....No limit

Network exchange grant – federal fund.....No limit

ARRA Kansas clean diesel assistance program grant – federal fund.....No limit

Performance partnership grants – federal fund.....No limit

Kansas clean diesel grant – federal fund.....	No limit
Air quality program – federal fund.....	No limit
Section 106 monitoring initiative – federal fund.....	No limit
Air quality section 105 – federal fund.....	No limit
Leaking underground storage tank trust – federal fund.....	No limit
Surface mining control and reclamation act – federal fund.....	No limit
Abandoned mined-land – federal fund.....	No limit
Department of defense and state cooperative agreement – federal fund.....	No limit
EPA non-point source – federal fund.....	No limit
Pollution prevention program – federal fund.....	No limit
EPA operator expense reimbursement for drinking water – federal fund .....	No limit
EPA water monitoring – federal fund .....	No limit
Gifts, grants and donations fund – environment.....	No limit
Special bequest fund – environment.....	No limit
Aboveground petroleum storage tank release trust fund.....	No limit
Underground petroleum storage tank release trust fund.....	No limit
Drycleaning facility release trust fund.....	No limit
Public water supply loan fund.....	No limit
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund.....	No limit

*Provided*, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*; That expenditures from this fund shall be made to provide for the payment of such matching grants.

- Kansas water pollution control operations fund.....No limit
- Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds.....No limit
- Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....No limit
- Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....No limit
- Debt service reserve fund.....No limit
- Subsurface hydrocarbon storage fund.....No limit
- Natural resources damages trust fund.....No limit
- Hazardous waste management fund.....No limit
- Brownfields revolving loan program – federal fund.....No limit
- Mined-land reclamation fund.....No limit
- Operator outreach training program – federal fund.....No limit
- Underground storage tank – federal fund.....No limit
- EPA underground injection control – federal fund.....No limit
- Laboratory medicaid cost recovery fund – environment.....No limit
- EPA state response program – federal fund.....No limit
- Environmental use control fund.....No limit

Environmental response remedial activity specific sites – federal fund.....No limit

Emergency environmental response – nonspecific sites federal fund.....No limit

Medicare program – environment – federal fund.....No limit

EPA pollution prevention – federal fund.....No limit

Inspections Kansas infrastructure projects – federal fund .....No limit

Marais Des Cygnes targeted watershed project – federal fund .....No limit

Salt solution mining well plugging fund.....No limit

UST redevelopment fund.....No limit

Office of laboratory services operating fund.....No limit

Risk management fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the state water plan project or projects specified as follows:

Contamination remediation.....\$687,217

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

TMDL initiatives and use attainability analysis.....\$275,053

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Watershed restoration and protection plan.....\$555,884

Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Nonpoint source program.....\$295,406

*Provided*, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the children's mental health waiver account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the children's mental health waiver programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) During the fiscal year ending June 30, 2016, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2016 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10<sup>th</sup> day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2015, and on other occasions during fiscal year 2016 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and environment – division of environment or to the sponsored project overhead fund –

health of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2016, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2016, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-3454a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the environmental response fund of the department of health and environment – division of environment to the state general fund.

Sec. 107.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$4,375,233

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation fee fund.....No limit

Publication fee fund – environment.....No limit

Solid waste management fund.....No limit

*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2017, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

- Public water supply fee fund.....No limit
- Voluntary cleanup fund.....No limit
- Storage tank fee fund.....No limit
- Air quality fee fund.....No limit
- Hazardous waste collection fund.....No limit
- Health and environment training fee fund – environment.....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2017, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2017 for agency operations for the division of environment.

- Driving under the influence fund.....No limit
- Waste tire management fund.....No limit
- Health and environment publication fee fund – environment.....No limit



*Provided*, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund.....	No limit
Surface mining fee fund.....	No limit
Kansas newborn screening fee fund.....	No limit
Environmental response fund.....	No limit
Sponsored project overhead fund – environment.....	No limit
Chemical control fee fund.....	No limit
QuantiFERON TB laboratory fund.....	No limit
Resource conservation and recovery act – federal fund.....	No limit
Superfund state cooperative agreements – federal fund.....	No limit
Water supply – federal fund.....	No limit
Air quality section 103 – federal fund.....	No limit
EPA – core support – federal fund.....	No limit
Network exchange grant – federal fund.....	No limit
ARRA Kansas clean diesel assistance program grant – federal fund.....	No limit
Performance partnership grants – federal fund.....	No limit
Kansas clean diesel grant – federal fund.....	No limit
Air quality program – federal fund.....	No limit
Section 106 monitoring initiative – federal fund.....	No limit

Air quality section 105 – federal fund.....	No limit
Leaking underground storage tank trust – federal fund.....	No limit
Surface mining control and reclamation act – federal fund.....	No limit
Abandoned mined-land – federal fund.....	No limit
Department of defense and state cooperative agreement – federal fund.....	No limit
EPA non-point source – federal fund.....	No limit
Pollution prevention program – federal fund.....	No limit
EPA operator expense reimbursement for drinking water – federal fund .....	No limit
EPA water monitoring – federal fund .....	No limit
Gifts, grants and donations fund – environment.....	No limit
Special bequest fund – environment.....	No limit
Aboveground petroleum storage tank release trust fund.....	No limit
Underground petroleum storage tank release trust fund.....	No limit
Drycleaning facility release trust fund.....	No limit
Public water supply loan fund.....	No limit
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund.....	No limit

*Provided*, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*, That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations fund.....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Debt service reserve fund.....	No limit
Subsurface hydrocarbon storage fund.....	No limit
Natural resources damages trust fund.....	No limit
Hazardous waste management fund.....	No limit
Brownfields revolving loan program – federal fund.....	No limit
Mined-land reclamation fund.....	No limit
Operator outreach training program – federal fund.....	No limit
Underground storage tank – federal fund.....	No limit
EPA underground injection control – federal fund.....	No limit
Laboratory medicaid cost recovery fund – environment.....	No limit
EPA state response program – federal fund.....	No limit
Environmental use control fund.....	No limit
Environmental response remedial activity specific sites – federal fund.....	No limit
Emergency environmental response – nonspecific sites federal fund.....	No limit

Medicare program – environment – federal fund.....	No limit
EPA pollution prevention – federal fund.....	No limit
Inspections Kansas infrastructure projects – federal fund .....	No limit
Marais Des Cygnes targeted watershed project – federal fund .....	No limit
Salt solution mining well plugging fund.....	No limit
UST redevelopment fund.....	No limit
Office of laboratory services operating fund.....	No limit
Risk management fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the state water plan project or projects specified as follows:

Contamination remediation.....	\$689,931
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*Provided*, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

TMDL initiatives and use attainability analysis.....	\$276,904
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*Provided*, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Watershed restoration and protection plan.....	\$555,884
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*Provided*, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Nonpoint source program.....	\$300,373
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*Provided*, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(d) During the fiscal year ending June 30, 2017, the secretary of health and

environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2017 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10<sup>th</sup> day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2016, and on other occasions during fiscal year 2017 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and environment – division of environment or to the sponsored project overhead fund – health of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2017, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2017, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more

than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 108.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Administration.....\$6,047,961

*Provided*, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments.....\$475,480

*Provided*, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Administration – medicaid.....\$1,087,824

*Provided*, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Administration – older Americans act match.....\$100,417

*Provided*, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Senior care act.....\$2,547,848

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2015 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2015: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2016 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on

expenditures for fiscal year 2015: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match.....\$3,845,725

*Provided*, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2015 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2015: *And provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2016 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2015: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF.....\$305,621,502

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2016.

LTC – medicaid assistance – PACE.....\$5,480,489

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general

fund expenditures.

Nursing facilities regulation.....\$526,907

*Provided*, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Nursing facilities regulation – title XIX.....\$1,440,865

*Provided*, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Health occupational credentialing.....\$596,464

State operations.....\$10,581,719

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the state operations account for fiscal year 2016: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants.....\$2,313,903

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Mental health and retardation services aid and assistance.....\$44,975,785

*Provided*, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas neurological institute – operating expenditures..... \$9,406,046

*Provided*, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by



the superintendent shall not exceed \$150: *Provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures.....\$26,088,932

*Provided*, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program.....\$17,511,551

*Provided*, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Osawatomie state hospital – operating expenditures .....\$12,748,821

*Provided*, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$9,826,042

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services

providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and training center – sexual predator treatment program.....\$936,147

Community based services.....\$268,455,355

*Provided*, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Community mental health centers supplemental funding.....\$12,250,000

*Provided*, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Larned state hospital – SPTP new crimes reimbursement..... \$250,000

*Provided*, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund.....\$46,014,124

*Provided*, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute fee fund.....\$1,317,402

Kansas neurological institute – foster grandparents program – federal fund.....No limit

Kansas neurological institute – FGP gifts, grants, donations special fund.....No limit

Kansas neurological institute – FGP gifts, grants, donations fund.....No limit

Kansas neurological institute – patient benefit fund.....No limit

Kansas neurological institute – work therapy patient benefit fund.....No limit

Kansas neurological institute – conferences fees fund.....No limit

*Provided*, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute – conferences fees fund: *Provided further*, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: *And provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund.....\$4,445,594

Larned state hospital – elementary and secondary education fund – federal.....No limit

Larned state hospital – national school lunch program – federal.....No limit

Larned state hospital – medical assistance program – federal.....No limit

Larned state hospital – vocational education fund – federal.....No limit

Larned state hospital – motor pool revolving fund.....No limit

Larned state hospital – work therapy patient benefit fund.....No limit

Larned state hospital – canteen fund.....No limit

Larned state hospital – patient benefit fund.....No limit

Osawatomie state hospital – ECIA fund – federal.....	No limit
Osawatomie state hospital – medical assistance program – federal.....	No limit
Osawatomie state hospital – canteen fund.....	No limit
Osawatomie state hospital – patient benefit fund.....	No limit
Osawatomie state hospital – work therapy patient benefit fund.....	No limit
Osawatomie state hospital – motor pool revolving fund.....	No limit
Osawatomie state hospital – cottage revenue and expenditures fund.....	No limit
Osawatomie state hospital – training fee revolving fund.....	No limit

*Provided*, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund.....	\$8,576,414
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*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Parsons state hospital and training center – medical assistance program – federal.....	No limit
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Parsons state hospital and training center – canteen fund.....	No limit
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Parsons state hospital and training center – patient benefit fund.....	No limit
Parsons state hospital and training center – work therapy patient benefit fund.....	No limit
Parsons state hospital and training center fee fund.....	\$1,372,386

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*; That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

AoA demonstration lifespan respite project.....	No limit
Community putting prevention to work.....	No limit
Special program for aging IIIB – federal fund.....	No limit
Special program for aging IIIC – federal fund.....	No limit
Special program for aging IIID – federal fund.....	No limit
National family caregiver support program IIIE – federal fund.....	No limit
Special program for aging IV & II – federal fund.....	No limit
Special program for aging VII-2 – federal fund.....	No limit
Special program for aging VII-3 – federal fund.....	No limit
Alzheimer's disease fund.....	No limit
Survey & certification – federal fund.....	No limit
Center for medicare/medicaid service – federal fund.....	No limit

Money follows the person grant – federal fund.....No limit

Medicaid assistance program – federal fund.....No limit

*Provided*, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2016 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Social service block grant fund.....\$4,500,000

*Provided*, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2015 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2015: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2016 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2015: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund – federal.....No limit

National bioterrorism hospital preparedness program – federal fund.....No limit

Senior citizen nutrition check-off fund.....No limit

Conferences and workshops attendance and publications fees fund.....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the Kansas department for aging and disability services and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including

official hospitality and of such publications.

Health policy nursing facility quality care fund.....No limit

*Provided*, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2014 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2014 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided further*; That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2014 Supp. 75-7435, and amendments thereto.

State licensure fee fund.....No limit

General fees fund.....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*; That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services, or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund.....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*; That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund.....No limit

*Provided*, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*; That

expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*; That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*; That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal.....	No limit
Senior services fund.....	No limit
Long-term care loan and grant fund.....	No limit
Intergovernmental transfer administration fund.....	\$0
Non-government grant fund.....	No limit
Health facilities review fund.....	No limit
Medicare enrollment assistance program fund – federal.....	No limit
Medical assistance program – federal fund.....	No limit
Children's health insurance federal fund.....	No limit
DADS social welfare fund.....	No limit
Other state fees fund.....	No limit
Substance abuse/mental health services federal fund.....	No limit
Community mental health block grant federal fund.....	No limit
Prevention/treatment substance abuse federal fund.....	No limit
Problem gambling and addictions grant fund.....	No limit
Alternatives to psych. resid. treatment facilities for children federal fund.....	No limit



Substance abuse performance outcome grant federal fund.....	No limit
ADAS data collection grant federal fund.....	No limit
Money follows the person rebalancing demonstration federal fund.....	No limit
Temporary assistance for needy families – fed funds.....	No limit
Public health/social services emergency response federal fund.....	No limit
Assistance in transition from homelessness federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit
Olmstead fellowship program.....	No limit
Medicare fund.....	No limit
Medicare fund – oasis.....	No limit
Nonfederal reimbursements fund.....	No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state highway fund.....	\$9,750,000
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*Provided*, That on July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants – state highway fund of the Kansas department for aging and disability services.

Safe and supportive schools.....	No limit
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(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2016, the following:

Children's mental health waiver.....	\$3,800,000
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*Provided*, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the children's mental health waiver account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the children's mental health waiver programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2015, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund to the Osawatomie state hospital – patient benefit fund.

(e) On July 1, 2015, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund to the Parsons state hospital and training center – patient benefit fund.

(f) On July 1, 2015, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund to the Larned state hospital – patient benefit fund.

(g) During the fiscal year ending June 30, 2016, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2016, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2016 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2016, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state institutions building fund for the Kansas department for aging and disability services or any institution or

facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2016 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2016 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2016: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2016 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grant fund of the governor's department.

(l) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

(m) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the

state general fund or in any special revenue fund or funds for fiscal year 2016 for the Kansas department for aging and disability services as authorized by this act or other appropriation act of the 2015 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2016 to provide continuing services to those individuals with developmental disabilities and physical disabilities who were removed from the waiting list and receiving services during fiscal year 2016.

(n) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the Kansas department for aging and disability services as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2016 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for aging and disability services: *Provided*, That all moneys received by the Kansas department for aging and disability services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the DADS social welfare fund.

(o) During the fiscal year ending June 30, 2016, in addition to other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2016 by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the Kansas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2016, to extend contract provisions that were in effect for the fiscal year ending June 30, 2015 for the national alliance for mental illness, keys for networking, and Kansas families partnerships to provide mental health education, outreach and advocacy services, and substance use treatment and for families together to provide parent training, education and support for families of individuals with disabilities: *Provided*, That the contract extension shall not be mandatory if the agency provides written notification to the current recipients of the contracts for the fiscal year ending June 30, 2015, of the recipients of the new contracts selected for the fiscal year ending June 30, 2016: *Provided further*, That the notification shall occur at least 30 days prior to the end of the contracts with the existing recipients: *And provided further*, That in the event the contract extension is required, the extension shall be renewable monthly at the current monthly rate for a period not to exceed six months and shall expire no later than December 30, 2015.

(p) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$94,993 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund.

(q) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$287,007 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the DADS social welfare fund of the Kansas department for aging and disability services.

(r) On June 30, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the problem gambling and addictions grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the problem gambling and addictions grant fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas department for aging and disability services by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 109.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Administration.....\$6,049,984

*Provided*, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments.....\$478,190

*Provided*, That any unencumbered balance in the administration – assessments – Level I care account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Administration – medicaid.....\$1,124,837

*Provided*, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Administration – older Americans act match.....\$102,072

*Provided*, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Senior care act.....\$2,547,848

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2016 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2016: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2017 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2016: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match.....\$3,845,725

*Provided*, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2016 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2016: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2017 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2016: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF.....\$305,121,668

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*; That, notwithstanding the provisions of K.S.A. 2014 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2017.

LTC – medicaid assistance – PACE.....\$5,616,689

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation.....\$541,034

*Provided*, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Nursing facilities regulation – title XIX.....\$1,465,153

*Provided*, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Health occupational credentialing.....\$602,445

State operations.....\$10,715,469

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated to the state operations account for fiscal year 2017: *Provided further*; That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants.....\$2,313,903

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Mental health and retardation services aid and assistance.....\$41,426,288

*Provided*, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2016, is hereby

reappropriated for fiscal year 2017.

Kansas neurological institute – operating expenditures.....\$10,251,771

*Provided*, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures.....\$27,348,732

*Provided*, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program.....\$20,207,788

*Provided*, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Osawatomie state hospital – operating expenditures .....\$13,763,917

*Provided*, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$10,637,561



*Provided*, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and training center – sexual predator treatment program.....\$956,418

Community based services.....\$268,455,355

*Provided*, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Community mental health centers supplemental funding.....\$12,250,000

*Provided*, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Larned state hospital – SPTP new crimes reimbursement.....\$250,000

*Provided*, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund.....\$45,668,027

*Provided*, That all receipts resulting from payments under title XIX of the federal

social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute fee fund.....	\$1,302,962
Kansas neurological institute – foster grandparents program – federal fund.....	No limit
Kansas neurological institute – FGP gifts, grants, donations special fund.....	No limit
Kansas neurological institute – FGP gifts, grants, donations fund.....	No limit
Kansas neurological institute – patient benefit fund.....	No limit
Kansas neurological institute – work therapy patient benefit fund.....	No limit
Kansas neurological institute – conferences fees fund.....	No limit

*Provided*, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute – conferences fees fund: *Provided further*, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: *And provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund.....	\$4,438,013
Larned state hospital – elementary and secondary education fund – federal.....	No limit
Larned state hospital – national school lunch program – federal.....	No limit
Larned state hospital – medical assistance program – federal.....	No limit
Larned state hospital – vocational education fund – federal.....	No limit

Larned state hospital – motor pool revolving fund.....	No limit
Larned state hospital – work therapy patient benefit fund.....	No limit
Larned state hospital – canteen fund.....	No limit
Larned state hospital – patient benefit fund.....	No limit
Osawatomie state hospital – ECIA fund – federal.....	No limit
Osawatomie state hospital – medical assistance program – federal.....	No limit
Osawatomie state hospital – canteen fund.....	No limit
Osawatomie state hospital – patient benefit fund.....	No limit
Osawatomie state hospital – work therapy patient benefit fund.....	No limit
Osawatomie state hospital – motor pool revolving fund.....	No limit
Osawatomie state hospital – cottage revenue and expenditures fund.....	No limit
Osawatomie state hospital – training fee revolving fund.....	No limit

*Provided*, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*; That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund.....\$8,497,648

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*; That all moneys credited to the video teleconferencing fee

account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Parsons state hospital and training center – medical assistance program – federal.....	No limit
Parsons state hospital and training center – canteen fund.....	No limit
Parsons state hospital and training center – patient benefit fund.....	No limit
Parsons state hospital and training center – work therapy patient benefit fund.....	No limit
Parsons state hospital and training center fee fund.....	\$1,372,386

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*; That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

AoA demonstration lifespan respite project.....	No limit
Community putting prevention to work.....	No limit
Special program for aging IIIB – federal fund.....	No limit
Special program for aging IIIC – federal fund.....	No limit
Special program for aging IIID – federal fund.....	No limit
National family caregiver support program IIIE – federal fund.....	No limit
Special program for aging IV & II – federal fund.....	No limit

Special program for aging VII-2 – federal fund.....	No limit
Special program for aging VII-3 – federal fund.....	No limit
Alzheimer's disease fund.....	No limit
Survey & certification – federal fund.....	No limit
Center for medicare/medicaid service – federal fund.....	No limit
Money follows the person grant – federal fund.....	No limit
Medicaid assistance program – federal fund.....	No limit

*Provided*, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2017 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Social service block grant fund.....	\$4,500,000
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*Provided*, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2016 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2016: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2017 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2016: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund – federal.....	No limit
National bioterrorism hospital preparedness program – federal fund.....	No limit
Senior citizen nutrition check-off fund.....	No limit

Conferences and workshops attendance and publications fees fund.....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the Kansas department for aging and disability services and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

Health policy nursing facility quality care fund.....No limit

*Provided*, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2014 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2014 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided further*, That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2014 Supp. 75-7435, and amendments thereto.

State licensure fee fund.....No limit

General fees fund.....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services, or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund.....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related

thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund.....No limit

*Provided*, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*, That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal.....No limit

Senior services fund.....No limit

Long-term care loan and grant fund.....No limit

Intergovernmental transfer administration fund.....\$0

Non-government grant fund.....No limit

Health facilities review fund.....No limit

Medicare enrollment assistance program fund – federal.....No limit

Medical assistance program – federal fund.....No limit

Children's health insurance federal fund.....No limit

DADS social welfare fund.....No limit

Other state fees fund.....No limit

Substance abuse/mental health services federal fund.....No limit

Community mental health block grant federal fund.....	No limit
Prevention/treatment substance abuse federal fund.....	No limit
Problem gambling and addictions grant fund.....	No limit
Alternatives to psych. resid. treatment facilities for children federal fund.....	No limit
Substance abuse performance outcome grant federal fund.....	No limit
ADAS data collection grant federal fund.....	No limit
Money follows the person rebalancing demonstration federal fund.....	No limit
Temporary assistance for needy families – fed funds.....	No limit
Public health/social services emergency response federal fund.....	No limit
Assistance in transition from homelessness federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit
Olmstead fellowship program.....	No limit
Medicare fund.....	No limit
Medicare fund – oasis.....	No limit
Nonfederal reimbursements fund.....	No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state highway fund.....	\$9,750,000
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*Provided*, That on July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of



K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants – state highway fund of the Kansas department for aging and disability services.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2017, the following:

Children's mental health waiver.....\$3,800,000

*Provided*, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the children's mental health waiver account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the children's mental health waiver programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2016, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund to the Osawatomie state hospital – patient benefit fund.

(e) On July 1, 2016, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund to the Parsons state hospital and training center – patient benefit fund.

(f) On July 1, 2016, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund to the Larned state hospital – patient benefit fund.

(g) During the fiscal year ending June 30, 2017, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2017, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability

services to another item of appropriation for fiscal year 2017 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2017, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2017 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2017 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2017 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2017 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2017: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2017 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2017 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grant fund of the governor's department.

(l) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

(m) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2017 for the Kansas department for aging and disability services as authorized by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2017 to provide continuing services to those individuals with developmental disabilities and physical disabilities who were removed from the waiting list and receiving services during fiscal year 2017.

(n) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2017 for the Kansas department for aging and disability services as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2017 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for aging and disability services: *Provided*, That all moneys received by the Kansas department for aging and disability services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the DADS social welfare fund.

(o) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$94,993 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund.

(p) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$287,007 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the DADS social welfare fund of the Kansas department for aging and disability services.

(q) On June 30, 2017, notwithstanding the provisions of K.S.A. 2014 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the problem gambling and addictions grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the problem gambling and addictions grant fund to the state general fund pursuant to

this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas department for aging and disability services by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 110.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

State operations (including official hospitality).....\$100,508,080

*Provided*, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Youth services aid and assistance.....\$119,261,255

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Vocational rehabilitation aid and assistance.....\$3,342,633

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*; That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Cash assistance.....\$11,190,124

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements fund.....No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Social services clearing fund.....	No limit
Social welfare fund.....	No limit
Other state fees fund.....	No limit
Child welfare services state grants federal fund.....	No limit
Social services block grant – federal fund.....	No limit
Child care/development block grant federal fund.....	No limit
Temporary assistance to needy families federal fund.....	No limit
Promoting safe/stable families federal fund.....	No limit
Title IV-E foster care federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Rehabilitation services – vocational rehabilitation federal fund.....	No limit
Enhance child safety – parental substance abuse federal fund.....	No limit
SRS enterprise fund.....	No limit
SRS trust fund.....	No limit
Child support enforcement federal fund.....	No limit
Energy assistance block grant federal fund.....	No limit
Family and children trust account – family and children investment fund.....	No limit

*Provided*, That expenditures from the family and children trust account – family and

children investment fund for official hospitality shall not exceed \$1,500.

Low-income home energy assistance federal fund.....	No limit
Commodity supp food program federal fund.....	No limit
Social security – disability insurance federal fund.....	No limit
Supplemental nutrition assistance program federal fund.....	No limit
Emergency food assistance program federal fund.....	No limit
Child care and development mandatory and matching federal fund.....	No limit
Community-based child abuse prevention grants federal fund.....	No limit
Chafee education and training vouchers program federal fund.....	No limit
Title IV-E FDF federal fund.....	No limit
Adoption incentive payments federal fund.....	No limit
State sexual assault and domestic violence coalitions grants federal fund.....	No limit
National bioterrorism hospital preparedness program federal fund.....	No limit
Assistance in transition from homelessness federal fund.....	No limit
Adoption assistance federal fund.....	No limit
Chafee foster care independence program federal fund.....	No limit
Refugee and entrant assistance federal fund.....	No limit
Head start federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit

Children's justice grants to states federal fund.....	No limit
Child abuse and neglect state grants federal fund.....	No limit
Independent living state grants federal fund.....	No limit
Independent living services for older blind federal fund.....	No limit
Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund.....	No limit
CMS research, demonstration and evaluations federal fund.....	No limit
Administrative matching grants for food assistance program federal fund.....	No limit
Temporary assistance for needy families emergency funds federal fund.....	No limit
Rehabilitation services – vocational rehabilitation – ARRA federal fund.....	No limit
Independent living older blind – ARRA federal fund.....	No limit
Prevention fellowship program grant federal fund.....	No limit
Federal Olmstead grant federal fund.....	No limit
Child care discretionary federal fund .....	No limit
Supplemental security income federal fund.....	No limit
Child support enforcement research federal fund .....	No limit
Child abuse and neglect discretionary federal fund.....	No limit
SNAP employment and training pilot fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund

for the fiscal year ending June 30, 2016, the following:

Children's cabinet accountability fund.....\$375,000

*Provided*, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Child care.....\$5,033,679

*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the child care account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the child care programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Family preservation.....\$2,154,357

*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2015 hereby reappropriated for fiscal year 2016: *Provided, however*; That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the family preservation account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the family preservation programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Quality initiative infants & toddlers.....\$500,000

*Provided*, That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Early childhood block grant.....\$18,176,472



*Provided*, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2016, the following:

Children's cabinet administration.....\$253,503

(e) During the fiscal year ending June 30, 2016, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2016 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2016, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2016, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2016, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2016, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2016, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such moneys

appropriated for fiscal year 2016 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2016.

(j) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the other state fees fund of the Kansas department for children and families to the state general fund.

Sec. 111.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

State operations (including official hospitality).....\$99,351,551

*Provided*, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Youth services aid and assistance.....\$117,440,880

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Vocational rehabilitation aid and assistance.....\$4,678,662

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*; That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Cash assistance.....\$10,492,234

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Nonfederal reimbursements fund.....No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Social services clearing fund.....No limit

Social welfare fund.....No limit

Other state fees fund.....No limit

Child welfare services state grants federal fund.....No limit

Social services block grant – federal fund.....No limit

Child care/development block grant federal fund.....No limit

Temporary assistance to needy families federal fund.....No limit

Promoting safe/stable families federal fund.....No limit

Title IV-E foster care federal fund.....No limit

Medical assistance program federal fund.....No limit

Rehabilitation services – vocational rehabilitation federal fund.....No limit

Enhance child safety – parental substance abuse federal fund.....No limit

SRS enterprise fund.....No limit

SRS trust fund.....No limit

Child support enforcement federal fund.....No limit

Energy assistance block grant federal fund.....No limit

Family and children trust account – family and children

investment fund.....No limit

*Provided,* That expenditures from the family and children trust account – family and children investment fund for official hospitality shall not exceed \$1,500.

Low-income home energy assistance federal fund.....No limit

Commodity supp food program federal fund.....No limit

Social security – disability insurance federal fund.....No limit

Supplemental nutrition assistance program federal fund.....No limit

Emergency food assistance program federal fund.....No limit

Child care and development mandatory and matching federal fund.....No limit

Community-based child abuse prevention grants federal fund.....No limit

Chafee education and training vouchers program federal fund.....No limit

Title IV-E FDF federal fund.....No limit

Adoption incentive payments federal fund.....No limit

State sexual assault and domestic violence coalitions grants federal fund.....No limit

National bioterrorism hospital preparedness program federal fund.....No limit

Assistance in transition from homelessness federal fund.....No limit

Adoption assistance federal fund.....No limit

Chafee foster care independence program federal fund.....No limit

Refugee and entrant assistance federal fund.....No limit

Head start federal fund.....No limit

Developmental disabilities basic support federal fund.....	No limit
Children's justice grants to states federal fund.....	No limit
Child abuse and neglect state grants federal fund.....	No limit
Independent living state grants federal fund.....	No limit
Independent living services for older blind federal fund.....	No limit
Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund.....	No limit
CMS research, demonstration and evaluations federal fund.....	No limit
Administrative matching grants for food assistance program federal fund.....	No limit
Temporary assistance for needy families emergency funds federal fund.....	No limit
Rehabilitation services – vocational rehabilitation – ARRA federal fund.....	No limit
Independent living older blind – ARRA federal fund.....	No limit
Prevention fellowship program grant federal fund.....	No limit
Federal Olmstead grant federal fund.....	No limit
Child care discretionary federal fund .....	No limit
Supplemental security income federal fund.....	No limit
Child support enforcement research federal fund .....	No limit
Child abuse and neglect discretionary federal fund.....	No limit
SNAP employment and training pilot fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2017, the following:

Children's cabinet accountability fund.....\$375,000

*Provided*, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Child care.....\$5,033,679

*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the child care account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the child care programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Family preservation.....\$2,154,357

*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the family preservation account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the family preservation programs or grant recipients has been received by the children's cabinet: *Provided further*; That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*; That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Quality initiative infants & toddlers.....\$500,000

*Provided*, That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Early childhood block grant.....\$18,174,711

*Provided*, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2017, the following:

Children's cabinet administration.....\$249,689

(e) During the fiscal year ending June 30, 2017, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2017 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2017, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2017, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2017, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2017, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2017, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such

moneys appropriated for fiscal year 2017 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2017.

Sec. 112.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Kansas guardianship program.....\$1,153,945

*Provided*, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Sec. 113.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Kansas guardianship program.....\$1,154,095

*Provided*, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Sec. 114.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2016, the following:

Kansas reading success.....\$2,100,000

*Provided*, That expenditures shall be made from the Kansas reading success account to issue a request for proposal to provide a statewide Kansas reading success program: *Provided further*, That the purpose of this program is to provide academic support to help ensure achievement on grade level in reading: *And provided further*, That such program shall be available to all Kansas public school students in grades Pre-K through 8 and be online-delivered, interactive computer adaptive reading assessment and research-based intervention for use both at school and at home: *And provided further*, That the program shall be correlated to at least one of the commonly used reading assessments, such as DIBELS or the Kansas State Reading Test and the vendor must provide evidence that this program improves reading skills and scores: *And provided*



*further*, That such program must automatically place students into a personalized learning path, continually tailor instruction to the individual needs of the student: *And provided further*, That such program shall provide teachers and administrators with immediate reporting, provide recommendations for interventions and provide teacher lessons and resources for teachers in order to deliver direct instruction based on the individual student needs: *And provided further*, That such program must make available to parents, reporting and resources regarding student participation via a home portal: *And provided further*, That such program must be able to provide a computer adaptive assessment, provide teachers, principals, and districts immediate online reporting including norm-referenced performance data that will enable teachers to plan and modify reading instruction without having to stop instructional time to administer a test: *And provided further*, That such program must provide accurate and predictive scores indicating the likelihood of a student being able to reach the requisite grade level reading skills by the end of the school year and an action plan for the students' teacher: *And provided further*, To ensure effective implementation of the program in conjunction with the beginning of the academic school year, the department of education shall announce and implement the program no later than August 15, 2015.

(b) During the fiscal year ending June 30, 2016, of the moneys appropriated in the pre-K program account of the children's initiatives fund for fiscal year 2016 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the pre-K program account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the pre-K programs or grant recipients has been received by the children's cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(c) During the fiscal year ending June 30, 2016, of the moneys appropriated in the parent education program account of the children's initiatives fund for fiscal year 2016 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the parent education program account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the parent education programs or grant recipients has been received by the children's cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2015, of the \$12,792,999 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 2(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$185,836 is hereby lapsed.

(e) On July 1, 2015, of the \$2,751,326,659 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 2(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the block grants to USDs account, the

sum of \$23,881,857 is hereby lapsed.

(f) On July 1, 2015, of the \$17,646,253 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 2(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the KPERs – employer contributions account, the sum of \$5,808,199 is hereby lapsed.

(g) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the department of education from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2016 by this or other appropriation act of the 2015 session of the legislature, expenditures shall be made by the department of education from the state general fund or from any special revenue fund or funds for fiscal year 2016 to report on a quarterly basis to the director of legislative research, every unified school district's monthly fund balances from the following funds: general fund, supplemental general fund, adult education, at-risk (4 year old), adult supplemental education, at risk (k-12), bilingual, virtual education, capital outlay, driver training, declining enrollment, extraordinary schools, food service, professional development, parents as teachers, summer school, special education, cost of living, vocational education, gifts and grants, special liability, school retirement, ancillary cash, special reserve, contingency reserve, textbooks and materials, activities, tuition reimbursement, special assessment and special education cooperative.

Sec. 115.

#### DEPARTMENT OF EDUCATION

(a) During the fiscal year ending June 30, 2017, of the moneys appropriated in the pre-K program account of the children's initiatives fund for fiscal year 2017 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the pre-K program account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the pre-K programs or grant recipients has been received by the children's cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(b) During the fiscal year ending June 30, 2017, of the moneys appropriated in the parent education program account of the children's initiatives fund for fiscal year 2017 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the parent education program account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the parent education programs or grant recipients has been received by the children's cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(c) On July 1, 2016, of the \$13,073,604 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate

Bill No. 7 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$288,699 is hereby lapsed.

(d) On July 1, 2016, of the \$2,760,946,624 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the block grants to USDs account, the sum of \$82,910,972 is hereby lapsed.

(e) On July 1, 2016, of the \$23,109,684 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the KPERs – employer contributions account, the sum of \$10,481,421 is hereby lapsed.

(f) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the department of education from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 session of the legislature, expenditures shall be made by the department of education from the state general fund or from any special revenue fund or funds for fiscal year 2017 to report on a quarterly basis to the director of legislative research, every unified school district's monthly fund balances from the following funds: general fund, supplemental general fund, adult education, at-risk (4 year old), adult supplemental education, at risk (k-12), bilingual, virtual education, capital outlay, driver training, declining enrollment, extraordinary schools, food service, professional development, parents as teachers, summer school, special education, cost of living, vocational education, gifts and grants, special liability, school retirement, ancillary cash, special reserve, contingency reserve, textbooks and materials, activities, tuition reimbursement, special assessment and special education cooperative.

Sec. 116.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$1,390,869

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$872.

Grants to libraries and library systems.....\$2,651,604

*Provided*, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, of the moneys appropriated in the grants to libraries and library systems account, \$1,174,877 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,187,076 shall be distributed for interlibrary loan development grants and \$289,651 shall be paid

according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund.....No limit

Federal library services and technology act – fund.....No limit

Grants and gifts fund      No limit  
Sec. 117.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$1,381,187

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$872.

Grants to libraries and library systems.....\$2,649,823

*Provided*, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That, of the moneys appropriated in the grants to libraries and library systems account, \$1,174,877 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,187,076 shall be distributed for interlibrary loan development grants and \$287,870 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund.....No limit

Federal library services and technology act – fund.....No limit

Grants and gifts fund      No limit

Sec. 118.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$5,169,731

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped.....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Reserve fund.....No limit

Local services reimbursement fund.....No limit

*Provided*, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....No limit

Special bequest fund.....No limit

Gift fund.....No limit

Technology lending library – federal fund.....No limit

Nine month payroll clearing fund.....No limit

Food assistance – cash for commodities – federal fund.....No limit

Food assistance – breakfast – federal fund.....	No limit
Food assistance – lunch – federal fund.....	No limit
Chapter I handicapped – federal fund.....	No limit
Education improvement – federal fund.....	No limit
Elementary and secondary education act – federal fund.....	No limit
Special education assistance – ARRA – federal fund.....	No limit
E-rate grant – federal fund.....	No limit
Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit
Deaf-blind project – federal fund.....	No limit
Safe schools – federal fund.....	No limit
Child and adult care food program – federal fund.....	No limit

Sec. 119.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....	\$5,300,361
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped.....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Reserve fund.....No limit

Local services reimbursement fund.....No limit

*Provided*, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....No limit

Special bequest fund.....No limit

Gift fund.....No limit

Technology lending library – federal fund.....No limit

Nine month payroll clearing fund.....No limit

Food assistance – cash for commodities – federal fund.....No limit

Food assistance – breakfast – federal fund.....No limit

Food assistance – lunch – federal fund.....No limit

Chapter I handicapped – federal fund.....No limit

Education improvement – federal fund.....No limit

Elementary and secondary education act – federal fund.....No limit

Special education assistance – ARRA – federal fund.....No limit

E-rate grant – federal fund.....	No limit
Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit
Deaf-blind project – federal fund.....	No limit
Safe schools – federal fund.....	No limit
Child and adult care food program – federal fund.....	No limit

Sec. 120.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....	\$8,682,239
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*Provided,* That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund.....	No limit
Local services reimbursement fund.....	No limit

*Provided,* That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further,* That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.



Student activity fees fund.....	No limit
Elementary and secondary education act – federal fund.....	No limit
Elementary and secondary education act 2009 ARRA – federal fund.....	No limit
Vocational education fund – federal.....	No limit
School lunch program – federal fund.....	No limit
Special bequest fund.....	No limit
Special workshop fund.....	No limit
Gift fund.....	No limit
Nine month payroll clearing fund.....	No limit
Special education state grants – federal fund.....	No limit
Special education state grants ARRA – federal fund.....	No limit
Special education preschool ARRA – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
National school lunch program ARRA – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit
Personnel development grant – federal fund.....	No limit
Safe schools – federal fund.....	No limit

Sec. 121.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$8,862,694

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Reserve fund.....No limit

Local services reimbursement fund.....No limit

*Provided*, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....No limit

Elementary and secondary education act – federal fund.....No limit

Elementary and secondary education act 2009 ARRA – federal fund.....No limit

Vocational education fund – federal.....No limit

School lunch program – federal fund.....No limit

Special bequest fund.....No limit

Special workshop fund.....No limit

Gift fund.....No limit

Nine month payroll clearing fund.....No limit

Special education state grants – federal fund.....No limit

Special education state grants ARRA – federal fund.....	No limit
Special education preschool ARRA – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
National school lunch program ARRA – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit
Personnel development grant – federal fund.....	No limit
Safe schools – federal fund.....	No limit

Sec. 122.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....	\$4,023,819
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*Provided,* That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas humanities council.....	\$52,605
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund.....	No limit
Vehicle repair and replacement fund.....	No limit
General fees fund.....	No limit
Archeology fee fund.....	No limit

*Provided,* That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further,* That the

state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund.....No limit

Soil/water conservation fund.....No limit

Microfilm fees fund.....No limit

*Provided*, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*; That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund.....No limit

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records: *Provided further*; That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

Historic properties fee fund.....No limit

Historic preservation grants in aid fund.....No limit

Historic preservation overhead fees fund.....No limit

National historic preservation act fund – local.....No limit

Private gifts, grants and bequests fund.....No limit

Museum and historic sites visitor donation fund.....No limit

Insurance collection replacement/reimbursement fund.....No limit

Heritage trust fund.....No limit

*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$78,636.

Land survey fee fund.....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2016 for operating expenditures that are not related to administering the land survey program.

National trails fund.....No limit

State historical society facilities fund.....No limit

Historic properties fund.....No limit

Law enforcement memorial fund.....No limit

Highway planning/construction fund.....No limit

Save America's treasures fund.....No limit

Archeology federal fund.....No limit

Property sale proceeds fund.....No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 123.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$4,075,408

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas humanities council.....\$52,605

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund.....No limit

Vehicle repair and replacement fund.....No limit

General fees fund.....No limit

Archeology fee fund.....No limit

*Provided*, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund.....No limit

Soil/water conservation fund.....No limit

Microfilm fees fund.....No limit

*Provided*, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund.....No limit

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

- Historic properties fee fund.....No limit
- Historic preservation grants in aid fund.....No limit
- Historic preservation overhead fees fund.....No limit
- National historic preservation act fund – local.....No limit
- Private gifts, grants and bequests fund.....No limit
- Museum and historic sites visitor donation fund.....No limit
- Insurance collection replacement/reimbursement fund.....No limit
- Heritage trust fund.....No limit

*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$78,636.

- Land survey fee fund.....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2015 for operating expenditures that are not related to administering the land survey program.

- National trails fund.....No limit
- State historical society facilities fund.....No limit
- Historic properties fund.....No limit
- Law enforcement memorial fund.....No limit

Highway planning/construction fund.....	No limit
Save America's treasures fund.....	No limit
Archeology federal fund.....	No limit
Property sale proceeds fund.....	No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 124.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$32,422,494
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Master's-level nursing capacity.....	\$131,567
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Kansas wetlands education center at Cheyenne bottoms.....	\$258,965
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*Provided*, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas academy of math and science.....	\$722,660
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*Provided*, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....	No limit
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*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*; That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund.....No limit

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies,

paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit

Health fees fund.....No limit

*Provided,* That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund.....No limit

*Provided,* That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study program fund.....No limit

Economic opportunity act – federal fund.....No limit

Kansas comprehensive grant fund.....No limit

Faculty of distinction matching fund.....No limit

Nine month payroll clearing account fund.....No limit

Federal Perkins student loan fund.....No limit

Housing system revenue fund.....No limit

*Provided,* That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund.....No limit

Oil and gas royalties fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Housing system repairs, equipment and improvement fund.....	No limit
Sponsored research overhead fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*; That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 125.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....	\$32,934,843
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Master's-level nursing capacity.....	\$131,520
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Kansas wetlands education center at Cheyenne bottoms.....	\$258,470
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*Provided*, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas academy of math and science.....	\$722,418
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*Provided*, That any unencumbered balance in the Kansas academy of math and

science account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And*

*provided further;* That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund.....No limit

Service clearing fund.....No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit

Health fees fund.....No limit

*Provided,* That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund.....No limit

*Provided,* That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study program fund.....No limit

Economic opportunity act – federal fund.....No limit

Kansas comprehensive grant fund.....No limit

Faculty of distinction matching fund.....No limit

Nine month payroll clearing account fund.....No limit

Federal Perkins student loan fund.....No limit

Housing system revenue fund.....No limit

*Provided,* That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund.....	No limit
Oil and gas royalties fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Sponsored research overhead fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*; That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 126.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$99,674,233
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Midwest institute for comparative stem cell biology.....	\$129,833
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*Provided*, That any unencumbered balance in the midwest institute for comparative

stem cell biology account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Global food systems.....\$5,000,000

*Provided*, That any unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2016 shall be matched by Kansas state university on a \$1 for \$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....No limit

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human capital resources; student financial assistance; application for undergraduate programs; speech and hearing fees;

gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*; That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund.....No limit

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund.....No limit



*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

*Provided*, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment and improvement fund.....No limit

Mandatory retirement annuity clearing fund.....No limit

Student health fees fund.....No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund.....No limit

Perkins student loan fund.....No limit

Board of regents – U.S. department of education awards fund.....No limit

State agricultural university fund.....No limit

Federal extension civil service retirement clearing fund.....No limit

Salina – student union fees fund.....No limit

Salina – housing system operation fund.....No limit

Kansas comprehensive grant fund.....No limit

Temporary deposit fund.....No limit

Business procurement card clearing fund.....No limit

Suspense fund.....No limit

Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund.....	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund.....	No limit
Salina student life center revenue fund.....	No limit
Child care facility revenue fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Energy conservation improvements fund.....	No limit
Animal health research fund.....	No limit
National bio agro-defense facility fund.....	No limit

*Provided*, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU.....	No limit
Interest bearing grants fund.....	No limit

*Provided*, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state

university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 127.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$101,798,358

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Midwest institute for comparative stem cell biology.....\$129,833

*Provided*, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Global food systems.....\$5,000,000

*Provided*, That any unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017:

*Provided further*, That all moneys in the global food systems account expended for fiscal year 2017 shall be matched by Kansas state university on a \$1 for \$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....	No limit
Restricted fees fund.....	No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human capital resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And*

*provided further*, That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund.....No limit

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund.....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

*Provided*, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment and improvement fund.....No limit

Mandatory retirement annuity clearing fund.....No limit

Student health fees fund.....No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund.....No limit

Perkins student loan fund.....No limit

Board of regents – U.S. department of education awards fund.....No limit

State agricultural university fund.....No limit

Federal extension civil service retirement clearing fund.....	No limit
Salina – student union fees fund.....	No limit
Salina – housing system operation fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund.....	No limit
Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund.....	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund.....	No limit
Salina student life center revenue fund.....	No limit
Child care facility revenue fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Energy conservation improvements fund.....	No limit
Animal health research fund.....	No limit
National bio agro-defense facility fund.....	No limit

*Provided*, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility

steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU.....No limit

Interest bearing grants fund.....No limit

*Provided*, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 128.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Cooperative extension service (including official hospitality).....\$18,036,270

*Provided*, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Agricultural experiment stations (including official hospitality).....\$28,920,003

*Provided*, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts:

Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2016: *And provided further*; That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....No limit

Sponsored research overhead fund.....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal extension fund.....No limit

Federal experimental station fund.....No limit

Federal awards – advance payment fund.....No limit

Smith-Lever special program grant – federal fund.....No limit



Faculty of distinction matching fund.....	No limit
Agricultural land use-value fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:  
 Agricultural experiment stations.....\$297,050

(d) During the fiscal year ending June 30, 2016, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 129.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
 AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:  
 Cooperative extension service (including official hospitality).....\$18,105,744

*Provided*, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Agricultural experiment stations (including official hospitality).....	\$29,553,093
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*Provided*, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2016: *And provided further*; That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....No limit

Sponsored research overhead fund.....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal extension fund.....No limit

Federal experimental station fund.....	No limit
Federal awards – advance payment fund.....	No limit
Smith-Lever special program grant – federal fund.....	No limit
Faculty of distinction matching fund.....	No limit
Agricultural land use-value fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:  
 Agricultural experiment stations.....\$296,614

(d) During the fiscal year ending June 30, 2017, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 130.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2016, the following:  
 Operating expenditures (including official hospitality).....\$9,500,892

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating enhancement.....\$4,990,130

*Provided*, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas.....\$400,000

*Provided*, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund.....No limit

Faculty of distinction matching fund.....No limit

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees

shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund.....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Health professions student loan fund.....No limit

University federal fund.....No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2015, the veterinary medicine teaching hospital revenue fund of the Kansas state university veterinary medical center is hereby redesignated as the vet health center revenue fund of Kansas state university veterinary medical center.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 131.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$9,734,847

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Operating enhancement.....\$5,024,765

*Provided*, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017:

*Provided further;* That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas.....\$400,000

*Provided,* That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

*Provided,* That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further;* That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund.....No limit

Faculty of distinction matching fund.....No limit

Hospital and diagnostic laboratory improvement fund.....No limit

Restricted fees fund.....No limit

*Provided,* That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however;* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further;* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the

restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund.....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Health professions student loan fund.....No limit

University federal fund.....No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 132.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....\$30,815,419

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Reading recovery program.....\$212,714

*Provided*, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l Board Cert/Future Teacher Academy.....\$129,050

*Provided*, That expenditures may be made from the nat'l board cert/future teacher

academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund fund.....No limit

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for



official hospitality.

Service clearing fund.....No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit

Kansas career work study program fund.....No limit

Student health fees fund.....No limit

*Provided,* That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund.....No limit

Bureau of educational measurements fund.....No limit

National direct student loan fund.....No limit

Economic opportunity act – work study – federal fund.....No limit

Educational opportunity grants – federal fund.....No limit

Basic opportunity grant program – federal fund.....No limit

Research and institutional overhead fund.....No limit

Kansas comprehensive grant fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

- Housing system repairs, equipment and improvement fund.....No limit
- Kansas distinguished scholarship fund.....No limit
- University federal fund.....No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

- Leveraging educational assistance partnership federal fund.....No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 133.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

- Operating expenditures (including official hospitality).....\$31,450,483

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

- Reading recovery program.....\$212,552

*Provided*, That expenditures may be made from the reading recovery program account for official hospitality.

- Nat'l Board Cert/Future Teacher Academy.....\$129,050

*Provided*, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Parking fees fund.....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund fund.....No limit

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service

activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit

Kansas career work study program fund.....No limit

Student health fees fund.....No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund.....No limit

Bureau of educational measurements fund.....No limit

National direct student loan fund.....No limit

Economic opportunity act – work study – federal fund.....No limit

Educational opportunity grants – federal fund.....No limit

Basic opportunity grant program – federal fund.....No limit

Research and institutional overhead fund.....No limit

Kansas comprehensive grant fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Housing system repairs, equipment and improvement fund.....No limit

Kansas distinguished scholarship fund.....No limit

University federal fund.....No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and

training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund.....No limit

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 134.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....\$33,701,907

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

School of construction.....\$745,528

*Provided*, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Polymer science program.....\$995,652

*Provided*, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund.....No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be

deposited in the state treasury to the credit of the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund.....No limit

*Provided*, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the

student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund.....	No limit
Faculty of distinction matching fund.....	No limit
Perkins student loan fund.....	No limit
Sponsored research overhead fund.....	No limit
College work study fund.....	No limit
Nursing student loan fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Kansas distinguished scholarship program fund .....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 135.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$34,614,305

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

School of construction.....\$745,318

*Provided*, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Polymer science program.....\$995,232

*Provided*, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund.....No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station



activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further,* That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund.....No limit

*Provided,* That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further,* That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund.....No limit

Faculty of distinction matching fund.....No limit

Perkins student loan fund.....No limit

Sponsored research overhead fund.....No limit

College work study fund.....No limit

Nursing student loan fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Kansas distinguished scholarship program fund .....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 136.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....\$127,592,285

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Geological survey.....\$5,826,424

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2016, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2016 for seismic surveys in an amount

not less than \$100,000.

Umbilical cord matrix project.....\$129,935

*Provided*, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund.....No limit

Sponsored research overhead fund.....No limit

Law enforcement training center fund.....No limit

*Provided*, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund.....No limit

*Provided*, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts:

Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund.....No limit

Kansas career work study program fund.....No limit

Student union fund.....No limit

Federal Perkins loan fund.....No limit

Health professions student loan fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Educational opportunity act – federal fund.....	No limit
Loans for disadvantaged students fund.....	No limit
Prepaid tuition fees clearing fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Fire service training fund.....	No limit
University federal fund.....	No limit
Johnson county education research triangle fund.....	No limit
Kan-grow engineering fund – KU.....	No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the water plan project or projects specified, the following:

Geological survey.....	\$26,841
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*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the geological survey account is hereby reappropriated for fiscal year 2016.

Sec. 137.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....	\$130,753,029
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Geological survey.....\$6,005,630

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2017, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2017 for seismic surveys in an amount not less than \$100,000.

Umbilical cord matrix project.....\$131,584

*Provided*, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund.....No limit

Sponsored research overhead fund.....No limit

Law enforcement training center fund.....No limit

*Provided*, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund.....No limit

*Provided*, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund.....No limit

Kansas career work study program fund.....No limit

Student union fund.....	No limit
Federal Perkins loan fund.....	No limit
Health professions student loan fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Educational opportunity act – federal fund.....	No limit
Loans for disadvantaged students fund.....	No limit
Prepaid tuition fees clearing fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Fire service training fund.....	No limit
University federal fund.....	No limit
Johnson county education research triangle fund.....	No limit
Kan-grow engineering fund – KU.....	No limit

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the water plan project or projects specified, the following:

Geological survey.....	\$26,841
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*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in



the geological survey account is hereby reappropriated for fiscal year 2017.

Sec. 138.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....\$98,683,034

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans.....\$4,476,896

*Provided*, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Midwest stem cell therapy center .....\$749,093

*Provided*, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Rural health bridging.....\$140,000

Cancer center research.....\$4,961,910

*Provided*, That any unencumbered balance in the cancer center research account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all moneys in the cancer center research account expended for fiscal year 2016 shall be matched by the university of Kansas medical center on a \$1 for \$1 basis from other moneys of the university of Kansas medical center: *And provided further*, That the university of Kansas medical center shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how cancer center research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy center fund.....\$0

Faculty of distinction matching fund.....No limit

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund.....No limit

Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund.....	No limit
Parking fund – Wichita campus.....	No limit
Services to hospital authority fund.....	No limit
Direct medical education reimbursement fund.....	No limit
Service clearing fund.....	No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund.....	No limit
Federal college work study fund.....	No limit
AMA education and research grant fund.....	No limit
Federal health professions/primary care student loan fund.....	No limit
Federal nursing student loan fund.....	No limit
Suspense fund.....	No limit
Federal student educational opportunity grant fund.....	No limit
Federal Pell grant fund.....	No limit
Federal Perkins student loan fund.....	No limit
Medical loan repayment fund.....	No limit

*Provided,* That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and

loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

- Medical student loan programs provider assessment fund.....No limit
- Graduate medical education administration reserve fund.....No limit
- University of Kansas medical center private practice foundation reserve fund.....No limit
- Robert Wood Johnson award fund.....No limit
- Federal scholarship for disadvantaged students fund.....No limit
- University federal fund.....No limit
- Leveraging educational assistance partnership federal fund.....No limit
- Graduate medical education support fund.....No limit
- Johnson county education research triangle fund .....No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2016, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 139.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$102,095,388

*Provided,* That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby

reappropriated for fiscal year 2017: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans.....\$4,477,164

*Provided*, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Midwest stem cell therapy center.....\$771,697

*Provided*, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Rural health bridging.....\$140,000

Cancer center research.....\$5,150,532

*Provided*, That any unencumbered balance in the cancer center research account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all moneys in the cancer center research account expended for fiscal year 2017 shall be matched by the university of Kansas medical center on a \$1 for \$1 basis from other moneys of the university of Kansas medical center: *And provided further*, That the university of Kansas medical center shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how cancer center research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund.....No limit

Midwest stem cell therapy center fund.....	\$0
Restricted fees fund.....	No limit

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund.....	No limit
Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund.....	No limit
Parking fund – Wichita campus.....	No limit
Services to hospital authority fund.....	No limit
Direct medical education reimbursement fund.....	No limit

Service clearing fund.....No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund.....No limit

Federal college work study fund.....No limit

AMA education and research grant fund.....No limit

Federal health professions/primary care student loan fund.....No limit

Federal nursing student loan fund.....No limit

Suspense fund.....No limit

Federal student educational opportunity grant fund.....No limit

Federal Pell grant fund.....No limit

Federal Perkins student loan fund.....No limit

Medical loan repayment fund.....No limit

*Provided,* That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider assessment fund.....No limit

Graduate medical education administration reserve fund.....No limit

University of Kansas medical center private practice foundation reserve fund.....No limit

Robert Wood Johnson award fund.....No limit

Federal scholarship for disadvantaged students fund.....	No limit
University federal fund.....	No limit
Leveraging educational assistance partnership federal fund.....	No limit
Graduate medical education support fund.....	No limit
Johnson county education research triangle fund .....	No limit

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2017, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 140.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$63,148,842
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Aviation research.....	\$5,000,000
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*Provided*, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all moneys in the aviation research account expended for fiscal year 2016 shall be matched by Wichita state university on a \$1 for \$1 basis from other moneys of Wichita state university: *And provided further*; That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2016.



Technology transfer facility.....	\$2,000,000
Aviation infrastructure.....	\$3,500,000

*Provided*, That during the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2016 by Wichita state university by this or other appropriation act of the 2015 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2016 may only be expended for training and equipment expenditures of the national center for aviation training.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....	No limit
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*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....	No limit
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*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at

the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund.....No limit

Kansas career work study program fund.....No limit

Scholarship funds fund.....No limit

Sponsored research overhead fund.....No limit

Economic opportunity act – federal fund.....No limit

Education opportunity grant – federal fund.....No limit

Matching education opportunity grant fund.....No limit

Health professions student assistance program – loans fund.....No limit

Nine month payroll clearing account fund.....No limit

Pell grants fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Housing system renovation principal and interest fund.....No limit

Housing system renovation and bond reserve fund.....No limit

WSU housing system depreciation and replacement fund.....No limit

Perkins loan fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Kansas comprehensive grant fund.....	No limit
WSU housing systems revenue fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership.....	No limit
Center of innovation for biomaterials in orthopaedic research – Wichita state university fund.....	No limit
Kan-grow engineering fund – WSU.....	No limit

(c) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2016, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (c), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state general fund for fiscal year 2016: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as ex officio, nonvoting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2016 regular session of the legislature, detailing the findings of the technical training

board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state general fund for fiscal year 2015 and fiscal year 2016. Sec. 141.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$64,379,391

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Aviation research.....\$5,000,000

*Provided*, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all moneys in the aviation research account expended for fiscal year 2017 shall be matched by Wichita state university on a \$1 for \$1 basis from other moneys of Wichita state university: *And provided further*, That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2017.

Technology transfer facility.....\$2,000,000

*Provided*, That any unencumbered balance in the technology transfer facility account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Aviation infrastructure.....\$3,500,000

*Provided*, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That during the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2017 by Wichita state university by this or other appropriation act of the 2015 or 2016 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2017 may only be expended for training and equipment expenditures of the national center for aviation training.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund.....No limit

Kansas career work study program fund.....No limit

Scholarship funds fund.....	No limit
Sponsored research overhead fund.....	No limit
Economic opportunity act – federal fund.....	No limit
Education opportunity grant – federal fund.....	No limit
Matching education opportunity grant fund.....	No limit
Health professions student assistance program – loans fund.....	No limit
Nine month payroll clearing account fund.....	No limit
Pell grants fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system renovation principal and interest fund.....	No limit
Housing system renovation and bond reserve fund.....	No limit
WSU housing system depreciation and replacement fund.....	No limit
Perkins loan fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Kansas comprehensive grant fund.....	No limit
WSU housing systems revenue fund.....	No limit
University federal fund.....	No limit

*Provided,* That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership.....	No limit
Center of innovation for biomaterials in orthopaedic research – Wichita state university fund.....	No limit
Kan-grow engineering fund – WSU.....	No limit

(c) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2017, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (c), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state general fund for fiscal year 2017: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as ex officio, nonvoting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2017 regular session of the legislature, detailing the findings of the technical training board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state general fund for fiscal year 2016 and fiscal year 2017.

Sec. 142.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$4,383,678
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, during fiscal year 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2016 by the state board of regents as authorized by this or other appropriation act of the 2015 regular session of the legislature, the state

board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2016 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2016, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2016 by the state board of regents as authorized by this or other appropriation act of the 2015 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2016 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission.....	\$95,000
State scholarship program.....	\$1,065,919

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program.....	\$15,758,338
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*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, during fiscal year 2016, in addition to the other purposes for which expenditures may be made by the above agency from the comprehensive grant program account for fiscal year 2016, expenditures shall be made by the above agency from the comprehensive grant program account for fiscal year 2016 for grants to independent and private colleges: *And Provided further*, That, the state board of regents



and the Kansas independent college association shall submit a report to the house committee on appropriations and the senate committee on ways and means on the total dollars distributed to each college, and how many students received scholarships: *And provided further*; That, such expenditures for such grants to independent and private colleges shall be in an amount not less than 60% of the total amount of such grants.

Ethnic minority scholarship program.....\$296,498

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas work-study program.....\$496,813

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*; That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships.....\$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Military service scholarships.....\$470,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2014 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program.....\$1,846,320

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

National guard educational assistance.....\$870,869

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Career technical workforce grant.....\$114,075

*Provided*, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the career technical workforce grant account for fiscal year 2016.

Nursing student scholarship program.....\$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Optometry education program.....\$107,089

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Municipal university operating grant.....\$11,900,920

Adult basic education.....\$1,457,031

Postsecondary tiered technical education state aid..... \$58,300,961

*Provided*, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2016, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2015, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2016 and the amount of moneys appropriated for the above agency for the fiscal year 2015 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2014 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2016 that is less than the amount such eligible institution received from such

account in fiscal year 2015, unless the amount of moneys appropriated for the above agency for fiscal year 2015 in the postsecondary tiered technical education state aid account for fiscal year 2016 is less than the amount of moneys appropriated for the above agency for fiscal year 2015 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2016 is less than the amount of moneys appropriated for the above agency for fiscal year 2015 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents: *And provided further*, That the state board of regents shall create a preliminary plan to fully implement the provisions of K.S.A. 2014 Supp. 71-1803(a), and amendments thereto, in consultation with technical colleges and community colleges, according to the postsecondary tiered technical education state aid act, K.S.A. 2014 Supp. 71-1801 through 71-1810, and amendments thereto, prior to November 1, 2015: *And provided further*, That the state board shall submit the final plan to the house committee on appropriations and the senate committee on ways and means no later than February 1, 2016.

Non-tiered course credit hour grant.....	\$76,496,329
Technology equipment at community colleges and Washburn university.....	\$398,475

*Provided*, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid.....	\$71,585
Tuition waivers.....	\$84,657
Nurse educator grant program.....	\$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program.....	\$1,787,193
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*Provided*, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for

fiscal year 2016: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority.....\$19,934

*Provided*, That, in addition to the other purposes for which expenditures may be made by the above agency from the postsecondary technical education authority account for fiscal year 2016, expenditures shall be made by the above agency from the postsecondary technical education authority account for fiscal year 2016 to develop a report on the participation in technical education courses that lead to high-wage, high-demand technical occupations and result in Kansas board of regents approved industry credentials: *Provided further*, That such report shall be made available to the house of representatives committee on appropriations and the senate committee on ways and means no later than the first day of the 2016 regular session of the legislature.

Tuition for technical education.....\$20,750,000

*Provided*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2016, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2016 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a GED using the Accelerating Opportunity program: *Provided further*, That, such expenditures shall be in an amount not less than \$500,000.

Incentive for technical education.....\$750,000

*Provided*, That, on July 1, 2015, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the state board of regents shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor in consultation with the state board of regents and the state board of education as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2016 is less than the amount of moneys to be awarded to such school districts, the state board of regents

shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund.....No limit

Vocational education scholarship discontinued attendance fund.....No limit

Regents' scholarship gift fund.....No limit

*Provided*, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*; That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*; That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*; That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*; That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund.....No limit

*Provided*, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

KAN-ED services fee fund.....No limit

Health profession opportunity grant – federal.....No limit

Rigorous program of study – federal.....No limit

Earned indirect costs fund – federal.....No limit

Faculty of distinction program fund.....No limit

Paul Douglas teacher scholarship fund – federal.....No limit

GED credentials processing fees fund.....No limit

Proprietary school fee fund.....No limit

*Provided*, That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....No limit

Adult basic education – federal fund.....No limit

Truck driver training fund.....No limit

No child left behind federal fund.....No limit

Comprehensive grant program discontinued attendance fund.....No limit

State scholarship discontinued attendance fund.....No limit

Kansas ethnic minority fellowship program fund.....No limit

Private postsecondary educational institution degree authorization expense reimbursement fee fund.....No limit

Substance abuse education fund – federal.....No limit

Nursing service scholarship program fund.....No limit

Clearing fund.....No limit

Conversion of materials and equipment fund.....No limit

Teacher scholarship program fund.....No limit

Motorcycle safety fund.....No limit

Financial aid services fee fund.....No limit

*Provided*, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents:

*Provided further*, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund.....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education – federal fund.....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund.....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund.....	No limit

Private and out-of-state postsecondary educational institution fee fund.....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund.....	No limit
Distance learning/telemedicine federal grant.....	No limit
KanTRAIN federal fund.....	No limit
USAC E-rate program federal fund.....	No limit
WIA youth activities federal fund.....	No limit
WIA adult set-aside federal fund.....	No limit
WIA dislocated workers set-aside federal fund.....	No limit
Temporary assistance for needy families federal fund.....	No limit
Workforce data quality initiative.....	No limit
Postsecondary education performance-based incentives fund.....	\$1,905,228

*Provided*, That notwithstanding the provisions of K.S.A. 2014 Supp. 72-4490, and amendments thereto, or any other statute, for fiscal year 2016, for the purpose of payments from the postsecondary education performance-based incentives fund, the term "eligible postsecondary educational institution" shall include Johnson county community college.

(c) During the fiscal year ending June 30, 2016, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2016, to another item of appropriation in an account of the state general fund for fiscal year 2016. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the



state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for such state educational institution as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2016: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2016 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

SEDIF – vocational education capital outlay aid.....	\$2,547,726
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*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an

amount which is equal to 50% of the grant.

SEDIF – technology innovation and internship program.....\$179,284

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2016.

SEDIF – EPSCOR.....\$993,265

Community and technical college competitive grants.....\$500,000

*Provided*, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*; That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,905,228 from the state general fund to the postsecondary education performance-based incentives fund of the state board of regents.

(g) In addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2016, as authorized by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2016 to pay for membership dues for the midwest higher education compact.

Sec. 143.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....\$4,495,467

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That, during fiscal year 2017, notwithstanding the provisions of any other statute, in addition to the other purposes for

which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2017 by the state board of regents as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2017 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2017, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2017 by the state board of regents as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2017 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission.....\$95,000

State scholarship program.....\$1,065,919

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program.....\$15,758,338

*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Ethnic minority scholarship program.....\$296,498

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas work-study program.....\$496,813

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships.....\$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Military service scholarships.....\$470,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2014 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program.....\$1,846,320

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

National guard educational assistance.....\$870,869

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Career technical workforce grant.....\$114,075

*Provided*, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Nursing student scholarship program.....\$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Optometry education program.....\$107,089

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Municipal university operating grant.....\$11,900,920

Adult basic education.....\$1,457,031

Postsecondary tiered technical education state aid.....\$58,300,961

*Provided*, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2017, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2016, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2017 and the amount of moneys appropriated for the above agency for the fiscal year 2016 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2014 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2017 that is less than the amount such eligible institution received from such account in fiscal year 2016, unless the amount of moneys appropriated for the above agency for fiscal year 2016 in the postsecondary tiered technical education state aid account for fiscal year 2017 is less than the amount of moneys appropriated for the above agency for fiscal year 2016 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2017 is less than the amount of moneys appropriated for the above agency for fiscal year 2016 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as

determined by the state board of regents.

Non-tiered course credit hour grant.....	\$76,496,329
Technology equipment at community colleges and Washburn university.....	\$398,475

*Provided*, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid.....	\$71,585
Tuition waivers.....	\$84,657
Nurse educator grant program.....	\$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program.....	\$1,787,193
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*Provided*, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*; That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*; That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority.....	\$19,928
Tuition for technical education.....	\$20,750,000

*Provided*, That, notwithstanding the provisions of any other statute, in addition to the

other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2017, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2017 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a GED using the Accelerating Opportunity program: *Provided further*; That, such expenditures shall be in an amount not less than \$500,000.

Incentive for technical education.....\$750,000

*Provided*, That, on July 1, 2016, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the state board of regents shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor in consultation with the state board of regents and the state board of education as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*; That, if the amount of moneys appropriated for the above agency for fiscal year 2017 is less than the amount of moneys to be awarded to such school districts, the state board of regents shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund.....No limit

Vocational education scholarship discontinued attendance fund.....No limit

Regents' scholarship gift fund.....No limit

*Provided*, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*; That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*; That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*; That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*; That there shall be no reduction of any scholarship awarded from

this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund.....No limit

*Provided,* That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

Health profession opportunity grant – federal.....No limit

Rigorous program of study – federal.....No limit

Earned indirect costs fund – federal.....No limit

Faculty of distinction program fund.....No limit

Paul Douglas teacher scholarship fund – federal.....No limit

GED credentials processing fees fund.....No limit

Proprietary school fee fund.....No limit

*Provided,* That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....No limit

Adult basic education – federal fund.....No limit

Truck driver training fund.....No limit

No child left behind federal fund.....No limit

Comprehensive grant program discontinued attendance fund.....No limit

State scholarship discontinued attendance fund.....No limit

Kansas ethnic minority fellowship program fund.....No limit

Private postsecondary educational institution degree authorization expense reimbursement fee fund.....No limit



Substance abuse education fund – federal.....	No limit
Nursing service scholarship program fund.....	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Teacher scholarship program fund.....	No limit
Motorcycle safety fund.....	No limit
Financial aid services fee fund.....	No limit

*Provided*, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund.....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit

Carl D. Perkins vocational and technical education – federal fund.....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund.....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund.....	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund.....	No limit
Distance learning/telemedicine federal grant.....	No limit
KanTRAIN federal fund.....	No limit
USAC E-rate program federal fund.....	No limit
WIA youth activities federal fund.....	No limit
WIA adult set-aside federal fund.....	No limit
WIA dislocated workers set-aside federal fund.....	No limit
Temporary assistance for needy families federal fund.....	No limit
Workforce data quality initiative.....	No limit
Postsecondary education performance-based incentives fund.....	\$1,905,228

(c) During the fiscal year ending June 30, 2017, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any

part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2017, to another item of appropriation in an account of the state general fund for fiscal year 2017. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for such state educational institution as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2017: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2017 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

SEDIF – vocational education capital outlay aid.....\$2,547,726

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and internship program.....\$179,284

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2017.

SEDIF – EPSCOR.....\$993,265

Community and technical college competitive grants.....\$500,000

*Provided*, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,905,228 from the state general fund to the postsecondary education performance-based incentives fund of the state board of regents.

(g) In addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2017, as authorized by this or any other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2017 to pay for membership dues for the midwest higher education compact.

Sec. 144.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures .....\$22,991,449

*Provided,* That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however;* That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures – juvenile services.....\$1,127,650

*Provided,* That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Community corrections.....\$22,010,385

*Provided,* That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however;* That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2016 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments.....\$800,000

*Provided,* That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further;* That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs.....\$63,980,760

*Provided,* That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Purchase of services.....\$20,124,000

*Provided*, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Prevention and graduated sanctions community grants.....\$21,383,874

*Provided*, That any unencumbered balance in the prevention and graduated sanctions community grants account excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Topeka correctional facility – facilities operations.....\$14,538,740

*Provided*, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$30,211,949

*Provided*, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$39,725,959

*Provided*, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$14,071,934

*Provided*, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$12,699,455

*Provided*, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$15,162,300

*Provided*, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations.....\$27,669,908

*Provided*, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations.....\$10,401,626

*Provided*, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex – facilities operations.....\$14,354,478

*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the Kansas juvenile correctional complex – facilities operations account for fiscal year 2016: *Provided, however*; That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Larned juvenile correctional facility – facilities operations.....\$8,319,144

*Provided*, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the Larned juvenile correctional facility – facilities operations account for fiscal year 2016: *Provided, however*; That expenditures from the Larned juvenile correctional facility – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations.....\$14,990,194

*Provided*, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Evidence based juvenile programs \$500,000

*Provided*, That expenditures shall be made by the above agency from the evidence based juvenile programs account of the state general fund to implement community based programs that serve to further reduce juvenile out-of-home placements in group homes: *Provided further*; That the secretary of corrections shall submit a report to the 2016 legislature detailing the effectiveness of the evidence based juvenile programs including cost benefit and cost avoidance analyses.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund.....No limit

Justice reinvestment technical assistance for state governments project – federal fund.....No limit

Residential substance abuse treatment – federal fund.....No limit

Department of corrections forensic psychologist fund.....No limit

*Provided*, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial justice assistance grants – federal fund.....No limit



Violence against women – federal fund.....	No limit
Sex offender management grant – federal fund.....	No limit
Department of corrections state asset forfeiture fund.....	No limit
Chapter I – federal fund.....	No limit
Victims of crime act – federal fund .....	No limit
Correctional industries fund.....	No limit

*Provided,* That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance – federal fund.....	No limit
Bulletproof vest partnership – federal fund.....	No limit
Safeguard community grants – federal fund.....	No limit
Workforce investment act – federal fund.....	No limit
Workplace and community transition training – federal fund.....	No limit
USMS reimbursement – federal fund.....	No limit
Community awareness project – federal fund.....	No limit
Corrections training and staff development – federal fund.....	No limit
Second chance act – federal fund.....	No limit
Alcohol and drug abuse treatment fund.....	No limit

*Provided,* That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

Juvenile delinquency prevention trust fund.....	No limit
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State of Kansas – department of corrections inmate benefit fund.....	No limit
Department of corrections – alien incarceration grant fund – federal.....	No limit
Department of corrections – general fees fund.....	No limit
<i>Provided, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: Provided further; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: And provided further; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.</i>	
Topeka correctional facility – community development block grant – federal fund.....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund.....	No limit
Hutchinson correctional facility – general fees fund.....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund.....	No limit
Winfield correctional facility – general fees fund.....	No limit
Norton correctional facility – general fees fund.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund.....	No limit
Community corrections supervision fund.....	No limit
Community corrections special revenue fund.....	No limit

Medical assistance program – federal fund.....	No limit
Title IV-E fund.....	No limit
Juvenile accountability incentive block grant – federal fund.....	No limit
Juvenile justice delinquency prevention – federal fund.....	No limit
Juvenile detention facilities fund.....	No limit
Juvenile justice fee fund – central office.....	No limit
Juvenile justice federal fund – Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex.....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex.....	No limit
Byrne grant – federal fund – Larned juvenile correctional facility.....	No limit
Byrne grant – federal fund.....	No limit
Title V – delinquency prevention program – federal fund.....	No limit
Title I program for neglected and delinquent children – federal fund.....	No limit
Improving teacher quality state grants – federal fund.....	No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund.....	No limit
Larned juvenile correctional facility – juvenile accountability block grant – federal fund.....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex.....	No limit

National school lunch program – federal fund – Larned juvenile correctional facility.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex.....	No limit
Kansas juvenile correctional complex – gifts, grants, and donations fund.....	No limit
Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....	No limit
Kansas juvenile correctional complex – improvement fund.....	No limit
Comprehensive approach to sex offender management discretionary grant – Kansas juvenile correctional complex – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2016, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2016 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification

to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2016 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2016 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2015, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2015.

(f) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$483,750 from the correctional industries fund to the department of corrections – general fees fund.

(g) During the fiscal year ending June 30, 2016, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile detention facilities fund for fiscal year 2016, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2016 for purchase of services.

(j) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-52,139, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$46,950 from the department of corrections – general fees fund of the department of corrections to the state general fund.

Sec. 145.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$23,458,646

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures – juvenile services.....\$1,153,353

*Provided*, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Community corrections.....\$22,010,385

*Provided*, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2017 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments.....\$800,000

*Provided*, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs.....\$66,945,895

*Provided*, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Purchase of services.....\$18,754,000

*Provided*, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Prevention and graduated sanctions community grants.....\$21,383,874

*Provided*, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Topeka correctional facility – facilities operations.....\$14,865,914

*Provided*, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$31,024,792

*Provided*, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$40,727,744

*Provided*, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$14,334,891

*Provided*, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$12,997,184

*Provided*, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the

Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$15,568,713

*Provided*, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations.....\$28,337,847

*Provided*, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations.....\$10,625,969

*Provided*, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex – facilities operations.....\$14,630,466

*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Larned juvenile correctional facility – facilities operations.....\$8,475,811

*Provided*, That any unencumbered balance in the Larned juvenile correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the



Larned juvenile correctional facility – facilities operations account for official hospitality shall not exceed \$500: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations.....\$15,297,829

*Provided*, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund.....No limit

Justice reinvestment technical assistance for state governments project – federal fund.....No limit

Residential substance abuse treatment – federal fund.....No limit

Department of corrections forensic psychologist fund.....No limit

*Provided*, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial justice assistance grants – federal fund.....No limit

Violence against women – federal fund.....No limit

Sex offender management grant – federal fund.....No limit

Department of corrections state asset forfeiture fund.....No limit

Chapter I – federal fund.....No limit

Victims of crime act – federal fund .....No limit

Correctional industries fund.....No limit

*Provided*, That expenditures may be made from the correctional industries fund for

official hospitality.

- Ed Byrne state and local law assistance – federal fund.....No limit
- Bulletproof vest partnership – federal fund.....No limit
- Safeguard community grants – federal fund.....No limit
- Workforce investment act – federal fund.....No limit
- Workplace and community transition training – federal fund.....No limit
- USMS reimbursement – federal fund.....No limit
- Community awareness project – federal fund.....No limit
- Corrections training and staff development – federal fund.....No limit
- Second chance act – federal fund.....No limit
- Alcohol and drug abuse treatment fund.....No limit

*Provided*, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

- Juvenile delinquency prevention trust fund.....No limit
- State of Kansas – department of corrections inmate benefit fund.....No limit
- Department of corrections – alien incarceration grant fund – federal.....No limit
- Department of corrections – general fees fund.....No limit

*Provided*, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality:

*And provided further;* That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

Topeka correctional facility – community development block grant – federal fund.....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund.....	No limit
Hutchinson correctional facility – general fees fund.....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund.....	No limit
Winfield correctional facility – general fees fund.....	No limit
Norton correctional facility – general fees fund.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund.....	No limit
Community corrections supervision fund.....	No limit
Community corrections special revenue fund.....	No limit
Medical assistance program – federal fund.....	No limit
Title IV-E fund.....	No limit
Juvenile accountability incentive block grant – federal fund.....	No limit
Juvenile justice delinquency prevention – federal fund.....	No limit
Juvenile detention facilities fund.....	No limit
Juvenile justice fee fund – central office.....	No limit

Juvenile justice federal fund – Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex.....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex.....	No limit
Byrne grant – federal fund – Larned juvenile correctional facility.....	No limit
Byrne grant – federal fund.....	No limit
Title V – delinquency prevention program – federal fund.....	No limit
Title I program for neglected and delinquent children – federal fund.....	No limit
Improving teacher quality state grants – federal fund.....	No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund.....	No limit
Larned juvenile correctional facility – juvenile accountability block grant – federal fund.....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex.....	No limit
National school lunch program – federal fund – Larned juvenile correctional facility.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional	

facility – federal fund.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex.....	No limit
Kansas juvenile correctional complex – gifts, grants, and donations fund.....	No limit
Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....	No limit
Kansas juvenile correctional complex – improvement fund.....	No limit
Comprehensive approach to sex offender management discretionary grant – Kansas juvenile correctional complex – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2017, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2017 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2017 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the

correctional industries fund during fiscal year 2017 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2016, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2016.

(f) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$483,750 from the correctional industries fund to the department of corrections – general fees fund.

(g) During the fiscal year ending June 30, 2017, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and additions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile detention facilities fund for fiscal year 2017, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2017 for purchase of services.

Sec. 146.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$5,063,336

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management team.....\$15,554

*Provided*, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Civil air patrol – operating expenditures.....\$39,982

Military activation payments.....\$6,000

*Provided*, That any unencumbered balance in the military activation payments

account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2014 Supp. 75-3228, and amendments thereto.

Kansas military emergency relief .....\$9,881

*Provided*, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Any unencumbered balance in excess of \$100 as of June 30, 2015, in each of the following accounts is hereby reappropriated for fiscal year 2016: Disaster relief.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A.75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund.....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund – military division.....	No limit
Adjutant general expense fund.....	No limit
State asset forfeiture fund.....	No limit
State emergency fund.....	No limit
State emergency fund weather disasters 5/4/2007.....	No limit
State emergency fund weather disasters 12/06, 7/07.....	No limit
Disaster grants – public assistance federal fund.....	No limit
National guard military operations/maintenance federal fund .....	No limit
Econ adjustment/military installation federal fund.....	No limit
Disaster assistance to individual/household federal fund.....	No limit
Interoperability communication equipment fund.....	No limit
Pre-disaster mitigation – federal fund.....	No limit
State homeland security program federal fund.....	No limit
Nuclear safety emergency management fee fund.....	No limit

*Provided*, That, notwithstanding the provisions of any other statute, the adjutant



general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2016 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal.....No limit

*Provided*, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund.....No limit

Emergency systems for advanced registration for volunteer health professionals – federal fund.....No limit

Civil air patrol – grants and contributions – federal fund.....No limit

Emergency management performance grant – federal fund.....No limit

NG – federal forfeiture fund.....No limit

Inaugural expense fund.....No limit

Kansas military emergency relief fund.....No limit

*Provided*, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund.....	No limit
Public safety interoperable communications grant program federal fund.....	No limit
Military construction national guard federal fund.....	No limit
National guard civilian youth opportunities federal fund.....	No limit
Hazard mitigation grant federal fund.....	No limit
Citizen corps federal fund.....	No limit
Law enforcement terrorism prevention program federal fund.....	No limit
Safe and drug-free schools and communities national programs federal fund.	No limit
National guard museum assistance fund.....	No limit

*Provided*, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35<sup>th</sup> infantry division museum and education center facility.

Great plains joint regional training center fee fund.....	No limit
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*Provided*, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program – federal fund.....	No limit
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Military honors funeral fund.....No limit

*Provided*, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2016 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2016 made by this or other appropriation act of the 2015 regular session of the legislature.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$270,690 from the state highway fund of the department of transportation to the office of emergency communications fund of the adjutant general.

Sec. 147.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$5,180,295

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management team.....\$15,554

*Provided*, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Civil air patrol – operating expenditures.....\$40,859

Military activation payments.....\$6,000

*Provided*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2014 Supp. 75-3228, and amendments thereto.

Kansas military emergency relief .....\$9,881

*Provided*, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Any unencumbered balance in excess of \$100 as of June 30, 2016, in each of the following accounts is hereby reappropriated for fiscal year 2017: Disaster relief.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local

government agencies, for-profit organizations and not-for-profit organizations: *Provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A.75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund.....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund – military division.....No limit

Adjutant general expense fund.....No limit

State asset forfeiture fund.....No limit

State emergency fund.....No limit

State emergency fund weather disasters 5/4/2007.....No limit

State emergency fund weather disasters 12/06, 7/07.....No limit

Disaster grants – public assistance federal fund.....No limit

National guard military operations/maintenance federal fund .....No limit

Econ adjustment/military installation federal fund.....No limit

Disaster assistance to individual/household federal fund.....No limit

- Interoperability communication equipment fund.....No limit
- Pre-disaster mitigation – federal fund.....No limit
- State homeland security program federal fund.....No limit
- Nuclear safety emergency management fee fund.....No limit

*Provided,* That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2017 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

- Military fees fund – federal.....No limit

*Provided,* That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

- Armories and units general fees fund.....No limit
- Emergency systems for advanced registration for volunteer health professionals – federal fund.....No limit
- Civil air patrol – grants and contributions – federal fund.....No limit
- Emergency management performance grant – federal fund.....No limit
- NG – federal forfeiture fund.....No limit
- Inaugural expense fund.....No limit
- Kansas military emergency relief fund.....No limit

*Provided,* That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members

and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

- Emergency management assistance compact federal fund.....No limit
- Public safety interoperable communications grant program federal fund.....No limit
- Military construction national guard federal fund.....No limit
- National guard civilian youth opportunities federal fund.....No limit
- Hazard mitigation grant federal fund.....No limit
- Citizen corps federal fund.....No limit
- Law enforcement terrorism prevention program federal fund.....No limit
- Safe and drug-free schools and communities national programs federal fund. No limit
- National guard museum assistance fund.....No limit

*Provided*, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35<sup>th</sup> infantry division museum and education center facility.

- Great plains joint regional training center fee fund.....No limit

*Provided*, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such

fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program – federal fund.....No limit

Military honors funeral fund.....No limit

*Provided*, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2017 for military funeral honors or purposes related thereto: *Provided further*; That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*; That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2017 made by this or other appropriation act of the 2015 or 2016 regular session of the legislature.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$270,690 from the state highway fund of the department of transportation to the office of emergency communications fund of the adjutant general.

Sec. 148.



STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund.....\$4,503,821

*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000: *Provided further*, That, if 2015 House Bill No. 2097, or any other legislation which provides for duties of the state fire marshal concerning search and rescue and hazardous material response, is not passed by the legislature during the 2015 regular session of the legislature and enacted into law, then, on July 1, 2015, the expenditure limitation for the above agency for the fiscal year ending June 30, 2016, by this section on the fire marshal fee fund is hereby decreased from \$4,503,821 to \$4,303,821.

Boiler inspection fee fund.....No limit

Gifts, grants and donations fund.....No limit

Intragovernmental service fund.....No limit

Explosives regulatory and training fund.....No limit

State fire marshal liquefied petroleum gas fee fund.....\$60,213

Emergency response fund.....No limit

*Provided*, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2016 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2016 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund.....No limit

Cigarette fire safety standard and firefighter protection act fund.....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund.....	No limit
Homeland security grant – federal fund.....	No limit
FFY12 HMEP grant – federal fund.....	No limit
Contract inspections fund.....	No limit

(b) On July 1, 2015, and January 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$500,000 from the fire marshal fee fund of the state fire marshal to the state general fund.

(c) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the emergency response fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$500,000.

(d) During the fiscal year ending June 30, 2016, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2016, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2016 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2016 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2016 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2016, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2016, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2016 are insufficient to meet in

full the estimated expenditures for fiscal year 2016 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2016: *Provided*, That the aggregate amount of such transfers during fiscal year 2016 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2016, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(f) On July 1, 2015, the director of accounts and reports shall transfer all moneys in the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal. On July 1, 2015, all liabilities of the hazardous material program fund are hereby transferred to and imposed on the fire marshal fee fund and the hazardous material program fund is hereby abolished.

Sec. 149.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund.....\$4,577,735

*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000: *Provided further*, That, if 2015 House Bill No. 2097, or any other legislation which provides for duties of the state fire marshal concerning search and rescue and hazardous material response, is not passed by the legislature during the 2015 or 2016 regular session of the legislature and enacted into law, then, on July 1, 2016, the expenditure limitation for the above agency for the fiscal year ending June 30, 2017, by this section on the fire marshal fee fund is hereby decreased from \$4,577,735 to \$4,327,735.

Boiler inspection fee fund.....No limit

Gifts, grants and donations fund.....No limit

Intragovernmental service fund.....	No limit
Explosives regulatory and training fund.....	No limit
State fire marshal liquefied petroleum gas fee fund.....	\$62,461
Emergency response fund.....	No limit

*Provided*, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2017 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2017 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund.....	No limit
Cigarette fire safety standard and firefighter protection act fund.....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund.....	No limit
Homeland security grant – federal fund.....	No limit
FFY12 HMEP grant – federal fund.....	No limit
Contract inspections fund.....	No limit

(b) On July 1, 2016, and January 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$500,000 from the fire marshal fee fund of the state fire marshal to the state general fund.

(c) During the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the emergency response fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget. *Provided*, That the

aggregate amount of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$500,000.

(d) During the fiscal year ending June 30, 2017, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2017, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2017 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2017 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2017 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2017, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2017, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2017 are insufficient to meet in full the estimated expenditures for fiscal year 2017 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2017: *Provided*, That the aggregate amount of such transfers during fiscal year 2017 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2017, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 150.

#### KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

*Provided,* That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.

For patrol of Kansas turnpike fund.....No limit

*Provided,* That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor vehicle fund.....No limit

Department of justice – federal recovery act – Edward J. Byrne memorial justice assistance grant program – federal fund.....No limit

Kansas highway patrol state forfeiture fund.....No limit

*Provided,* That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2016, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Disaster grants – public assistance – federal fund.....No limit

Edward Byrne memorial assistance grant – state and local law enforcement – federal fund.....No limit

Bulletproof vest partner – federal fund.....No limit

Performance registration information system management – federal fund.....No limit

Commercial vehicle information system network – federal fund.....No limit

Highway planning and construction – federal fund.....No limit

- Public safety interoperability grant – federal fund.....No limit
- Citizen corps – federal fund.....No limit
- Emergency management performance grants – federal fund.....No limit
- Safety data improvement project – federal fund.....No limit
- Interoperability communication equipment – federal fund.....No limit
- Cops grant – federal fund.....No limit
- KHP federal forfeiture – federal fund.....No limit

*Provided,* That expenditures may be made from the KHP federal forfeiture – federal fund by the above agency for the capital improvement project or projects for troop F headquarters.

- Law enforcement terrorism prevention – federal fund.....No limit
- High intensity drug trafficking areas – federal fund.....No limit
- State domestic preparedness equipment sprt – federal fund.....No limit
- Metro med response system – federal fund.....No limit
- Homeland security program – federal fund.....No limit
- Buffer zone protection program – federal fund.....No limit
- Edward Byrne memorial justice assistance grant – federal fund.....No limit
- Emergency ops cntr – federal fund.....No limit
- State and community highway safety – federal fund.....No limit
- Gifts and donations fund.....No limit

*Provided,* That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program state fund.....No limit

*Provided*, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program – federal fund.....No limit

*Provided*, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget.....No limit

Highway safety fund.....No limit

Capitol area security fund.....No limit

Vehicle identification number fee fund.....No limit

Motor vehicle fuel and storeroom sales fund.....No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund.....\$52,358,422

*Provided*, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.



Highway patrol training center fund.....No limit

*Provided*, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund.....No limit

*Provided*, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund.....No limit

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2015, and January 1, 2016, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(d) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$13,641,127.75 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the

purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2016 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2016 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2015, and January 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund – on budget of the Kansas highway patrol.

(h) On July 1, 2015, and January 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,103,044.50 from the Kansas highway patrol operations fund of the Kansas highway patrol to the state general fund.

Sec. 151.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

*Provided,* That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.

For patrol of Kansas turnpike fund.....No limit

*Provided,* That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

- Highway patrol motor vehicle fund.....No limit
- Department of justice – federal recovery act – Edward J. Byrne  
memorial justice assistance grant program – federal fund.....No limit
- Kansas highway patrol state forfeiture fund.....No limit
- Provided, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2017, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.*
- Disaster grants – public assistance – federal fund.....No limit
- Edward Byrne memorial assistance grant – state and local  
law enforcement – federal fund.....No limit
- Bulletproof vest partner – federal fund.....No limit
- Performance registration information system management –  
federal fund.....No limit
- Commercial vehicle information system network – federal fund.....No limit
- Highway planning and construction – federal fund.....No limit
- Public safety interoperability grant – federal fund.....No limit
- Citizen corps – federal fund.....No limit
- Emergency management performance grants – federal fund.....No limit
- Safety data improvement project – federal fund.....No limit
- Interoperability communication equipment – federal fund.....No limit
- Cops grant – federal fund.....No limit
- KHP federal forfeiture – federal fund.....No limit

*Provided, That expenditures may be made from the KHP federal forfeiture – federal*

fund by the above agency for the capital improvement project or projects for troop F headquarters.

Law enforcement terrorism prevention – federal fund.....No limit

High intensity drug trafficking areas – federal fund.....No limit

State domestic preparedness equipment sprt – federal fund.....No limit

Metro med response system – federal fund.....No limit

Homeland security program – federal fund.....No limit

Buffer zone protection program – federal fund.....No limit

Edward Byrne memorial justice assistance grant – federal fund.....No limit

Emergency ops cntr – federal fund.....No limit

State and community highway safety – federal fund.....No limit

Gifts and donations fund.....No limit

*Provided*, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program state fund.....No limit

*Provided*, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program – federal fund.....No limit

*Provided*, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget.....No limit

Highway safety fund.....No limit

Capitol area security fund.....No limit

Vehicle identification number fee fund.....No limit

Motor vehicle fuel and storeroom sales fund.....No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund.....\$53,556,923

*Provided*, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training center fund.....No limit

*Provided*, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund.....No limit

*Provided*, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*; That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund.....No limit

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2016, and January 1, 2017, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(d) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$13,954,678.50 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2017 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2017 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2016, and January 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto,

or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund – on budget of the Kansas highway patrol.

(h) On July 1, 2016, and January 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,130,895.50 from the Kansas highway patrol operations fund of the Kansas highway patrol to the state general fund.

(i) Notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits.

Sec. 152.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$18,230,621

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the operating expenditures account for fiscal year 2016: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup.....\$250,000

*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund.....No limit

*Provided*, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund.....No limit

*Provided*, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund.....No limit

Federal grants – marijuana eradication – federal fund.....No limit

Criminal justice information system line fund.....No limit

*Provided*, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund.....No limit

Kansas bureau of investigation motor vehicle fund.....No limit

*Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund.....No limit

*Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: *Provided further*; That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.



General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund.....No limit

*Provided*, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*, That expenditures may be made from the

record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund.....	No limit
Agency motor pool fund.....	No limit
National criminal history improvement program federal fund.....	No limit
Public safety partnership and community policing federal fund.....	No limit
Forensic DNA backlog reduction federal fund.....	No limit
Coverdell forensic sciences improvement federal fund.....	No limit
Anti-gang initiative federal fund.....	No limit
Homeland security federal fund.....	No limit
State homeland security program federal fund.....	No limit
Convicted/arrestee DNA backlog reduction federal fund.....	No limit
Disaster grants – public assistance federal fund.....	No limit
Ed Byrne memorial justice assistance federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
AWA implementation grant program federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund.....	No limit
KBI-FBI reimbursement federal fund.....	No limit
Project safe neighborhoods fund.....	No limit

Social security administration reimbursement – federal fund.....	No limit
Bulletproof vest partnership – federal fund.....	No limit
Uninterrupted power source replacement fund.....	No limit

(c) During the fiscal year ending June 30, 2016, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2016 made by this act or other appropriation act of the 2015 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2016 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 153.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....	\$18,638,929
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated to the operating expenditures account for fiscal year 2017: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup.....	\$250,000
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*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund.....	No limit
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*Provided*, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund.....No limit

*Provided*, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund.....No limit

Federal grants – marijuana eradication – federal fund.....No limit

Criminal justice information system line fund.....No limit

*Provided*, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund.....No limit

Kansas bureau of investigation motor vehicle fund.....No limit

*Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund.....No limit

*Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of

investigation: *Provided, however;* That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: *Provided further;* That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund.....No limit

*Provided,* That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however;* That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further;* That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund.....No limit

*Provided*, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund.....No limit

Agency motor pool fund.....No limit

National criminal history improvement program federal fund.....No limit

Public safety partnership and community policing federal fund.....No limit

Forensic DNA backlog reduction federal fund.....No limit

Coverdell forensic sciences improvement federal fund.....No limit

Anti-gang initiative federal fund.....No limit

Homeland security federal fund.....No limit

State homeland security program federal fund.....No limit

Convicted/arrestee DNA backlog reduction federal fund.....No limit

Disaster grants – public assistance federal fund.....No limit

Ed Byrne memorial justice assistance federal fund.....No limit

Ed Byrne state/local law enforcement federal fund.....No limit

Violence against women – ARRA federal fund.....No limit

AWA implementation grant program federal fund.....No limit

Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund.....	No limit
KBI-FBI reimbursement federal fund.....	No limit
Project safe neighborhoods fund.....	No limit
Social security administration reimbursement – federal fund.....	No limit
Bulletproof vest partnership – federal fund.....	No limit
Uninterrupted power source replacement fund.....	No limit

(c) During the fiscal year ending June 30, 2017, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2017 made by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2017 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 154.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund.....	No limit
Rural access to emergency devices grant – federal fund.....	No limit
Emergency medical services operating fund.....	\$1,322,955

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational

videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....No limit

*Provided*, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....No limit

*Provided*, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2016.

National bioterrorism hospital preparedness – federal fund.....No limit

Highway safety – federal fund.....No limit

NHTSA evidence-based guideline project – federal fund.....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2016 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing



such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*; That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*; That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016, as authorized by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2015, and January 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2016, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2016, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2016 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2016 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2016 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2016, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be

required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2016.

(g) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016, as authorized by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016 to require the emergency medical services board to conduct an analysis and evaluation of state law and county regulations as to the current and future utilization of licensed health care professionals to provide emergency health care services on ambulances: *Provided*, That such analysis and evaluation shall include a cost analysis: *Provided further*, That the board shall report findings from the analysis and evaluation including the current utilization of licensed health care professionals other than the certified EMS attendants to staff ambulances, to the house committee on appropriations prior to the first day of the 2016 legislative session.

Sec. 155.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund.....No limit

Rural access to emergency devices grant – federal fund.....No limit

Emergency medical services operating fund.....\$1,349,331

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law

in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*; That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....No limit

*Provided*, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....No limit

*Provided*, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*; That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*; That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2017.

National bioterrorism hospital preparedness – federal fund.....No limit

Highway safety – federal fund.....No limit

NHTSA evidence-based guideline project – federal fund.....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2017 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*; That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*; That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2017, as authorized by this or any other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2017 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2016, and January 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2017, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2017, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2017 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2017 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2017 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2017, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2017.

Sec. 156.

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$835,773

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs.....\$6,568,686

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Statistical analysis – federal fund.....No limit

Drug abuse fund – federal.....No limit

Sec. 157.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$896,404

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs.....\$6,499,506

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Statistical analysis – federal fund.....No limit

Drug abuse fund – federal.....No limit

Sec. 158.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund.....\$580,116

*Provided,* That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund.....No limit

Sec. 159.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund.....\$593,985

*Provided,* That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund.....No limit

Sec. 160.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$9,187,072

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the operating expenditures account for fiscal year 2016: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$10,000.

Wheat genetics research.....\$160,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund.....No limit

Meat and poultry inspection fee fund.....No limit

Wheat quality survey fund.....No limit

Plant protection fee fund.....No limit

Laboratory equipment fund.....No limit

Water structures – state highway fund.....No limit

Soil amendment fee fund.....No limit

Agricultural liming materials fee fund.....No limit

Weights and measures fee fund.....No limit

Water appropriation certification fund.....No limit

Water resources cost fund.....No limit

*Provided*, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2014 Supp. 82a-761 through 82a-773, and amendments

thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

- Agriculture seed fee fund.....No limit
- Chemigation fee fund.....No limit
- Agriculture statistics fund.....No limit
- Petroleum inspection fee fund.....No limit
- Water transfer hearing fund.....\$0
- Grain commodity commission services fund.....No limit
- Kansas agricultural remediation fund.....No limit
- Warehouse fee fund.....No limit
- U.S. geological survey cooperative gauge agreement grants fund.....No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*; That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*; That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

- Agricultural chemical fee fund.....No limit
- Feeding stuffs fee fund.....No limit
- Fertilizer fee fund.....No limit
- Plant pest emergency response fund.....No limit
- Pesticide use fee fund.....No limit
- Egg fee fund.....No limit



Water structures fund.....	No limit
Meat and poultry inspection fund – federal.....	No limit
EPA pesticide performance partnership grant – federal fund.....	No limit
FEMA dam safety – federal fund.....	No limit
FEMA – hazard mitigation map federal fund.....	No limit
State trade and export promotion – federal fund.....	No limit
FDA tissue residue – federal fund.....	No limit
USDA quality samples – federal fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Trademark fund.....	No limit
Market development fund .....	No limit

*Provided*, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund.....	No limit
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*Provided*, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund.....	No limit
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*Provided*, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund.....	No limit
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- Land reclamation fee fund.....No limit
- County option brand fee fund.....No limit
- Livestock brand emergency revolving fund.....No limit
- Livestock brand fee fund.....No limit

*Provided*, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

- Livestock market brand inspection fee fund.....No limit
- Veterinary inspection fee fund.....No limit
- Animal dealers fee fund .....No limit

*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets: *And provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2016 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2016.

- Animal disease control fund .....No limit

*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

- Market protection promotion – federal fund.....No limit
- Health and human services retail food audit – federal fund .....No limit
- Specialty crop block grant – federal fund.....No limit
- Publications fee fund.....No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or

educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

- Homeland security grant – federal fund.....No limit
- USDA national agricultural statistics services – federal fund.....No limit
- Retail food good manufacturing practice management – federal fund.....No limit
- Medicated feed and FDA BSE inspection – federal fund.....No limit
- National floodplain insurance assistance (CAP) – federal fund.....No limit
- Cooperating technical partners – federal fund.....No limit
- Plant and animal disease & pest control – federal fund.....No limit
- Country of origin labeling (COOL) – federal fund.....No limit
- USDA Kansas forestry service – federal fund.....No limit
- Food safety fee fund.....No limit
- Gifts and donations fund.....No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the general fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund.....No limit

Watershed protect approach/WTR RSRCE MGT fund.....No limit

NRCS contribution agreement farm bill – federal fund.....No limit

Livestock market reporting fund.....No limit

Compliance education fee fund.....No limit

*Provided*, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2016, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund.....No limit

*Provided*, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging fund.....No limit

Veterinary examiners fee fund.....\$379,072

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the water plan project or projects specified, the following:

Water resources cost share.....\$1,948,289

*Provided*, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2016 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures of the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2016 for the water resources cost share account.

Nonpoint source pollution assistance.....\$1,858,350

*Provided*, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Conservation district aid.....\$2,092,637

*Provided*, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Watershed dam construction.....\$576,434

*Provided*, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Lake restoration.....\$258,156

*Provided*, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas water quality buffer initiatives.....\$249,792

*Provided*, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*; That such expenditures may be made from this account from the approved budget amount for fiscal year 2016 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program.....\$152,651

*Provided*, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Basin management.....\$719,766

*Provided*, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Water use.....\$54,077

*Provided*, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Interstate water issues.....\$441,678

*Provided*, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Conservation reserve enhancement program.....\$446,040

*Provided*, That any unencumbered balance in the conservation reserve enhancement program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That, in addition, fiscal year 2016 expenditures, from the conservation reserve enhancement program account, are authorized to be made by the division of conservation of the Kansas department of agriculture: *And provided further*; That all expenditures under the conservation reserve enhancement program, referred to as CREP in this subsection, are subject to the following criteria: (1) The total number of acres enrolled in Kansas in CREP for the nine fiscal years 2008 through 2016 shall not exceed 40,000 acres; (2) the number of acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in

the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to, grains, cellulosic or biomass materials, alfalfa, grasses, legumes or other cover crops then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area; (3) lands enrolled in the conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP; (4) no more than 25% of the acreage in CREP may be in any one county except that the last eligible enrollment offer to exceed the number of acres constituting a 25% acreage cap in any one county shall be approved; (5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and (6) only water rights in good standing are eligible for inclusion under CREP: *And provided further*, That to be a water right in good standing the following criteria must be met: (A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years within the most recent five-year period preceding offer submission for which irrigation water use reports are approved and made available by the division of water resources of the Kansas department of agriculture; (B) the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted during the most recent five-year period preceding offer submission for which irrigation water use reports are approved and made available by the division of water resources and shall not have been the subject of enforcement sanctions by the division of water resources during the most recent five-year period preceding offer submission for which irrigation water use reports are approved and made available by the division of water resources; and (C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years; *And provided further*, That the Kansas department of agriculture shall submit a CREP report to the senate committee on natural resources and the house committee on agriculture and natural resources at the beginning of the 2016 regular session of the legislature which shall contain a description of program activities and shall include: (i) The total water rights, measured in acre feet, retired in CREP during fiscal year 2008 through fiscal year 2016, to date, (ii) the acreage enrolled in CREP during fiscal year 2008 through fiscal year 2016, to date, (iii) the dollar amounts received and expended for CREP during fiscal year 2008 through fiscal year 2016, to date, (iv) the economic impact of the CREP, (v) the change in groundwater levels in the CREP area during fiscal year 2008 through fiscal year 2016, to date, (vi) the annual amount of water usage in the CREP area during fiscal year 2008 through fiscal year 2016, to date, (vii) an assessment of meeting each of the program objectives identified in the agreement with the farm service agency, and (viii) such other information as the Kansas department of agriculture shall specify.

(d) During the fiscal year ending June 30, 2016, the secretary of agriculture, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2016 from the state water plan fund for the

Kansas department of agriculture to another item of appropriation for fiscal year 2016 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2015, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

Agriculture marketing program.....\$561,160

*Provided*, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

(g) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to prepare a zero based budget for the department of agriculture that includes fiscal year 2014 and fiscal year 2015 actual expenditures and projected expenditures for fiscal year 2016 and fiscal year 2017 detailed by each program; *Provided*: That performance measures shall be included for each program based on the zero based budget: *Provided further*; That the proposed zero based budget shall be submitted to the house appropriations committee and the senate ways and means committee prior to January 29, 2016.

Sec. 161.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....\$9,584,968

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated to the operating expenditures account for fiscal year 2017: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$10,000.



Wheat genetics research.....\$160,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund.....No limit

Meat and poultry inspection fee fund.....No limit

Wheat quality survey fund.....No limit

Plant protection fee fund.....No limit

Laboratory equipment fund.....No limit

Water structures – state highway fund.....No limit

Soil amendment fee fund.....No limit

Agricultural liming materials fee fund.....No limit

Weights and measures fee fund.....No limit

Water appropriation certification fund.....No limit

Water resources cost fund.....No limit

*Provided,* That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2014 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund.....No limit

Chemigation fee fund.....No limit

Agriculture statistics fund.....No limit

Petroleum inspection fee fund.....No limit

Water transfer hearing fund.....	\$0
Grain commodity commission services fund.....	No limit
Kansas agricultural remediation fund.....	No limit
Warehouse fee fund.....	No limit
U.S. geological survey cooperative gauge agreement grants fund.....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Agricultural chemical fee fund.....	No limit
Feeding stuffs fee fund.....	No limit
Fertilizer fee fund.....	No limit
Plant pest emergency response fund.....	No limit
Pesticide use fee fund.....	No limit
Egg fee fund.....	No limit
Water structures fund.....	No limit
Meat and poultry inspection fund – federal.....	No limit
EPA pesticide performance partnership grant – federal fund.....	No limit
FEMA dam safety – federal fund.....	No limit
FEMA – hazard mitigation map federal fund.....	No limit

State trade and export promotion – federal fund.....	No limit
FDA tissue residue – federal fund.....	No limit
USDA quality samples – federal fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Trademark fund.....	No limit
Market development fund .....	No limit

*Provided*, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund.....	No limit
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*Provided*, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund.....	No limit
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*Provided*, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund.....	No limit
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Land reclamation fee fund.....	No limit
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County option brand fee fund.....	No limit
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Livestock brand emergency revolving fund.....	No limit
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Livestock brand fee fund.....	No limit
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*Provided*, That expenditures from the livestock brand fee fund for official hospitality

shall not exceed \$250.

Livestock market brand inspection fee fund.....No limit

Veterinary inspection fee fund.....No limit

Animal dealers fee fund .....No limit

*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets: *And provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2017 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2017.

Animal disease control fund .....No limit

*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Market protection promotion – federal fund.....No limit

Health and human services retail food audit – federal fund .....No limit

Specialty crop block grant – federal fund.....No limit

Publications fee fund.....No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys

received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

- Homeland security grant – federal fund.....No limit
- USDA national agricultural statistics services – federal fund.....No limit
- Retail food good manufacturing practice management – federal fund.....No limit
- Medicated feed and FDA BSE inspection – federal fund.....No limit
- National floodplain insurance assistance (CAP) – federal fund.....No limit
- Cooperating technical partners – federal fund.....No limit
- Plant and animal disease & pest control – federal fund.....No limit
- Country of origin labeling (COOL) – federal fund.....No limit
- USDA Kansas forestry service – federal fund.....No limit
- Food safety fee fund.....No limit
- Gifts and donations fund.....No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

- General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the general fee fund: *And provided further*, That the director of accounts and reports

shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund.....	No limit
Watershed protect approach/WTR RSRCE MGT fund.....	No limit
NRCS contribution agreement farm bill – federal fund.....	No limit
Livestock market reporting fund.....	No limit
Compliance education fee fund.....	No limit

*Provided*, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2017, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund.....	No limit
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*Provided*, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging fund.....	No limit
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(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the water plan project or projects specified, the following:

Water resources cost share.....	\$1,948,289
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*Provided*, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That the initial allocation for grants to conservation districts for fiscal

year 2017 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*; That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2017 for the water resources cost share account.

Nonpoint source pollution assistance.....\$1,858,350

*Provided*, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Conservation district aid.....\$2,092,637

*Provided*, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Watershed dam construction.....\$576,434

*Provided*, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Lake restoration.....\$258,156

*Provided*, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas water quality buffer initiatives.....\$249,792

*Provided*, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*; That such expenditures may be made from this account from the approved budget amount for fiscal year 2017 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program.....\$152,651

*Provided*, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Basin management.....\$613,195

*Provided*, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Water use.....\$53,355

*Provided*, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Interstate water issues.....\$438,753

*Provided*, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(d) During the fiscal year ending June 30, 2017, the secretary of agriculture, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2016, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

Agriculture marketing program.....\$1,055,627

*Provided*, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture



therefor under the agricultural value added center program.

Sec. 162.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund.....No limit

*Provided,* That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

State fair federal transfer fund.....No limit

State fair special cash fund.....No limit

State fair debt service special revenue fund.....No limit

Sec. 163.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund.....No limit

*Provided,* That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

State fair federal transfer fund.....No limit

State fair special cash fund.....No limit

State fair debt service special revenue fund.....No limit

Sec. 164.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Water resources operating expenditures.....\$1,120,864

*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund.....No limit

*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund.....No limit

*Provided*, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2016, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund.....No limit

*Provided*, That, on July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

State conservation storage water supply fund.....No limit

Water marketing fund.....No limit

EPA wetland grant – federal fund.....No limit

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund.....No limit

Motor pool vehicle replacement fund.....No limit

Reservoir storage beneficial use fund.....No limit

*Provided*, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Arkansas river water conservation projects fund.....No limit

Republican river water conservation projects – Nebraska moneys fund.....No limit

Republican river water conservation projects – Colorado moneys fund.....No limit

Lower Smoky Hill water supply access fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the state water plan project or projects specified, the following:

Assessment and evaluation.....\$570,725

*Provided*, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

GIS data base development.....\$112,306

*Provided*, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

MOU – storage operations and maintenance.....\$289,889

*Provided*, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Stream gaging.....\$431,282

*Provided*, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Technical assistance to water users.....\$364,238

*Provided*, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Streambank stabilization.....\$400,000

Any unencumbered balance in the John Redmond reservoir bonds account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(d) During the fiscal year ending June 30, 2016, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2016 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2016, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan

shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2016, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2016, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2016, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) Notwithstanding the provisions of K.S.A. 82a-1315c, and amendments thereto, or any other statute, on July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$186,148 from the water marketing fund of the Kansas water office to the state general fund.

(j) Notwithstanding the provisions of K.S.A. 82a-951, and amendments thereto, or any other statute, on July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,488,452 from the John Redmond reservoir bond account of the state water plan fund of the Kansas water office to the state general fund.

Sec. 165.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Water resources operating expenditures.....\$1,160,307

*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund.....No limit

*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund.....No limit

*Provided*, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2017, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund.....No limit

*Provided*, That, on July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

State conservation storage water supply fund.....No limit

Water marketing fund.....No limit

EPA wetland grant – federal fund.....No limit

General fees fund.....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund.....No limit

Motor pool vehicle replacement fund.....No limit

Reservoir storage beneficial use fund.....No limit

*Provided*, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Arkansas river water conservation projects fund.....No limit

Republican river water conservation projects – Nebraska moneys fund.....No limit

Republican river water conservation projects – Colorado moneys fund.....No limit

Lower Smoky Hill water supply access fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the state water plan project or projects specified, the following:

Assessment and evaluation.....\$510,725

*Provided,* That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

GIS data base development.....\$112,306

*Provided,* That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

MOU – storage operations and maintenance.....\$289,889

*Provided,* That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Stream gaging.....\$431,282

*Provided,* That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Technical assistance to water users.....\$364,238

*Provided,* That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

John Redmond reservoir bonds.....\$916,550

*Provided,* That any unencumbered balance in the John Redmond reservoir bonds account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Streambank stabilization.....\$400,000

*Provided,* That any unencumbered balance in the streambank stabilization account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.



(d) During the fiscal year ending June 30, 2017, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2017, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2017, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or

accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2017, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2017, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) Notwithstanding the provisions of K.S.A. 82a-1315c, and amendments thereto, or any other statute, on July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$756,450 from the water marketing fund of the Kansas water office to the state general fund.

(j) Notwithstanding the provisions of K.S.A. 82a-951, and amendments thereto, or any other statute, on July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$916,550 from the John Redmond reservoir bond account of the state water plan fund of the Kansas water office to the state general fund.

Sec. 166.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures.....\$1,747,632

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*; That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2016, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2016 to include a provision on the calendar year 2016 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard

members: *And provided further*; That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures.....\$1,639,317

*Provided*, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Travel and tourism operating expenditures.....\$1,708,086

*Provided*, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$4,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2016 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual park permits issued to national guard members.....\$17,922

*Provided*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2016 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the

secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*; That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*; That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2016 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*; That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *And provided further*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund.....\$23,666,278

*Provided*, That additional expenditures may be made from the wildlife fee fund for fiscal year 2016 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2016: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from the wildlife fee fund for official hospitality shall not exceed \$2,000.

Parks fee fund.....\$7,287,168

*Provided*, That additional expenditures may be made from the parks fee fund for fiscal year 2016 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2016: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund.....\$1,268,001

*Provided*, That additional expenditures may be made from the boating fee fund for fiscal year 2016 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2016: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from this fund for official hospitality shall not exceed \$2,000.

Central aircraft fund.....No limit

*Provided*, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund.....\$1,617,268

Wildlife, parks and tourism nonrestricted fund.....No limit

Prairie spirit rails-to-trails fee fund.....No limit

Plant and animal disease and pest control fund.....No limit

Nongame wildlife improvement fund.....No limit

Wildlife conservation fund.....No limit

Federally licensed wildlife areas fund.....	No limit
State agricultural production fund.....	No limit
Land and water conservation fund – state.....	No limit
Land and water conservation fund – local.....	No limit
Development and promotions fund.....	No limit
Department of wildlife and parks private gifts and donations fund.....	No limit
Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund.....	No limit
Disaster grants – public assistance fund.....	No limit
Soil/water conservation fund .....	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund.....	No limit
Landowner incentive program fund.....	No limit
Bulletproof vest partnership fund.....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund.....	No limit
Plant/animal disease and pest control fund.....	No limit
Americorps – ARRA fund .....	No limit

Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund.....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund.....	No limit
Fish/wildlife core act fund .....	No limit
Watershed protection/flood prevention fund.....	No limit
Suspense fund.....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund .....	No limit
Boating safety financial assistance fund.....	No limit
Wildlife restoration fund.....	No limit
Sport fish restoration fund.....	No limit
Outdoor recreation acquisition, development and planning fund.....	No limit
Publication and other sales fund.....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2016, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2016: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits fund .....	No limit
Enforce underage drinking law fund.....	No limit
Migratory bird monitoring.....	No limit
Voluntary public access.....	No limit
EPA – sect 319 nonpoint source fund.....	No limit
Energy efficiency/conservation block grant fund.....	No limit
Endangered species – recovery fund.....	No limit
Wetlands reserve program fund.....	No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the central aircraft fund of the Kansas department of wildlife, parks and tourism to the state general fund.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,000 from the prairie spirit rails-to-trails fee fund of the Kansas department of wildlife, parks and tourism to the state general fund.

(e) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the department access roads fund of the Kansas department of wildlife, parks and tourism to the state general fund.

Sec. 167.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures.....	\$1,755,492
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*, That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2017, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2017 to include a provision on the calendar year 2017 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*, That all moneys received as voluntary contributions to



support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures.....\$1,626,371

*Provided*, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Travel and tourism operating expenditures.....\$1,681,573

*Provided*, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$4,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2017 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual park permits issued to national guard members.....\$17,922

*Provided*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2017 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the

moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*; That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*; That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2017 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*; That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *And provided further*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund.....\$24,221,459

*Provided*, That additional expenditures may be made from the wildlife fee fund for fiscal year 2017 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2017: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from the wildlife fee fund for official hospitality shall not exceed \$2,000.

Parks fee fund.....\$7,798,549

*Provided*, That additional expenditures may be made from the parks fee fund for

fiscal year 2017 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2017: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund.....\$1,321,998

*Provided*, That additional expenditures may be made from the boating fee fund for fiscal year 2017 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2017: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from this fund for official hospitality shall not exceed \$2,000.

Central aircraft fund.....No limit

*Provided*, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund.....\$1,604,247

Wildlife, parks and tourism nonrestricted fund.....No limit

Prairie spirit rails-to-trails fee fund.....No limit

Plant and animal disease and pest control fund.....No limit

Nongame wildlife improvement fund.....No limit

Wildlife conservation fund.....No limit

Federally licensed wildlife areas fund.....	No limit
State agricultural production fund.....	No limit
Land and water conservation fund – state.....	No limit
Land and water conservation fund – local.....	No limit
Development and promotions fund.....	No limit
Department of wildlife and parks private gifts and donations fund.....	No limit
Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund.....	No limit
Disaster grants – public assistance fund.....	No limit
Soil/water conservation fund .....	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund.....	No limit
Landowner incentive program fund.....	No limit
Bulletproof vest partnership fund.....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund.....	No limit
Plant/animal disease and pest control fund.....	No limit
Americorps – ARRA fund .....	No limit

Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund.....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund.....	No limit
Fish/wildlife core act fund .....	No limit
Watershed protection/flood prevention fund.....	No limit
Suspense fund.....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund .....	No limit
Boating safety financial assistance fund.....	No limit
Wildlife restoration fund.....	No limit
Sport fish restoration fund.....	No limit
Outdoor recreation acquisition, development and planning fund.....	No limit
Publication and other sales fund.....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2017, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2017: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits fund .....	No limit
Enforce underage drinking law fund.....	No limit
Migratory bird monitoring.....	No limit
Voluntary public access.....	No limit
EPA – sect 319 nonpoint source fund.....	No limit
Energy efficiency/conservation block grant fund.....	No limit
Endangered species – recovery fund.....	No limit
Wetlands reserve program fund.....	No limit

Sec. 168.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund.....	No limit
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*Provided,* That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund.....	No limit
County equalization and adjustment fund.....	\$2,500,000
Highway special permits fund.....	\$0
Highway bond debt service fund.....	No limit
Rail service improvement fund.....	No limit
Transportation revolving fund.....	No limit
Rail service assistance program loan guarantee fund.....	No limit

Railroad rehabilitation loan guarantee fund .....No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2016, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund.....No limit

*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....No limit

Public use general aviation airport development fund.....No limit

Highway bond proceeds fund.....No limit

Communication system revolving fund.....No limit

Traffic records enhancement fund.....No limit

Other federal grants fund.....No limit

Kansas intermodal transportation revolving fund.....No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2016, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2016, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations.....\$249,614,990

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: Provided further, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees.....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: Provided further, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: And provided further, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance.....No limit

Claims .....No limit

Payments for city connecting links.....\$3,360,000

Federal local aid programs.....No limit

Bond services fees.....No limit

Other capital improvements.....No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair .....\$2,832,239

Buildings – reroofing.....\$563,684



Buildings – other construction, renovation and repair.....\$2,228,054

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2016, expenditures may be made by the above agency from the state highway fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2016 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2015, subject to the provisions of subsection (d); *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2016.

(d) During the fiscal year ending June 30, 2016, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2016 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2016 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2016, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2016, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2016, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2016.

(h) For the fiscal year ending June 30, 2016, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b et seq., and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$32,330,902.75 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in

addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*, That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2016 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2016.

Sec. 169.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund.....No limit

*Provided*, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund.....No limit

County equalization and adjustment fund.....\$2,500,000

Highway special permits fund.....\$0

Highway bond debt service fund.....No limit

Rail service improvement fund.....No limit

Transportation revolving fund.....No limit

Rail service assistance program loan guarantee fund.....No limit

Railroad rehabilitation loan guarantee fund .....No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2017, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund.....No limit

*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....No limit

Public use general aviation airport development fund.....No limit

Highway bond proceeds fund.....No limit

Communication system revolving fund.....No limit

Traffic records enhancement fund.....No limit

Other federal grants fund.....No limit

Kansas intermodal transportation revolving fund.....No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2017, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2017, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations.....\$256,601,308

*Provided*, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees.....No limit

*Provided*, That the secretary of transportation is hereby authorized to fix, charge and

collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*; That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: *And provided further*; That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance.....	No limit
Claims .....	No limit
Payments for city connecting links.....	\$3,360,000
Federal local aid programs.....	No limit
Bond services fees.....	No limit
Other capital improvements.....	No limit

*Provided*, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair .....	\$2,911,647
Buildings – reroofing.....	\$532,570
Buildings – other construction, renovation and repair.....	\$2,290,522

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2017, expenditures may be made by the above agency from the state highway fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2017 shall not exceed the amount of the unencumbered balance in such project account on June 30,

2016, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2017.

(d) During the fiscal year ending June 30, 2017, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2017 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2017 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2017, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2017, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2017, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2017.

(h) For the fiscal year ending June 30, 2017, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b et seq., and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$32,692,667.25 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*, That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2017 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2017.

Sec. 170. (a) During the fiscal year ending June 30, 2015, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state general fund appropriated for fiscal year 2015

for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2015 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the director of legislative research.

(b) During the fiscal year ending June 30, 2016, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state general fund appropriated for fiscal year 2016 for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2016 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state general fund appropriated for fiscal year 2017 for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2017 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the director of legislative research.

(d) As used in this section, "cabinet agency" means (1) the department of administration, (2) the department of revenue, (3) the department of commerce, (4) the department of labor, (5) the department of health and environment, (6) the Kansas department for aging and disability services, (7) the Kansas department for children and families, (8) the department of corrections, (9) the adjutant general, (10) the Kansas highway patrol, (11) the Kansas department of agriculture, (12) the Kansas department of wildlife, parks and tourism, and (13) the department of transportation.

Sec. 171. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2016, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2016 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2016 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 27, 2016, which is chargeable to fiscal year 2016 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2016, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week

periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2016.

Sec. 172. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2017, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2017 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2017 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 26, 2017, which is chargeable to fiscal year 2017 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2017, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2017.

Sec. 173. (a) On June 30, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2016, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 174. (a) On June 30, 2017, notwithstanding the provisions of K.S.A. 2014 Supp. 74-8768, and amendments thereto, or any other statute, the director of accounts

and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2017, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 175. (a) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the secretary for children and families, from moneys appropriated from the state general fund or any special revenue fund or funds for the Kansas department for children and families for fiscal year 2016 by this act or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the secretary for children and families from the state general fund or from any special revenue fund or funds for fiscal year 2016, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Neosho county, Kansas, subject to the provisions of this section:

The South Half of the Southeast Quarter (S/2 SE/4) of Section Nineteen (19), Township Twenty-seven (27) South, Range Eighteen (18) East of the 6th P. M., excepting therefrom five (5) tracts of land described as follows:

a. The North Ten (10) acres of the Southeast Quarter of this Southeast Quarter (SE/4 SE/4) of said section Nineteen (19);

b. Beginning at a point on Plummer Avenue, 330 feet south of the northeast corner of the South Half of the Southeast Quarter (S/2 (SE/4) of said Section Nineteen (19), thence west parallel with the north line of said eighty, 1320 feet; thence south 330 feet on a line parallel with the east line of said eighty; thence east 1320 feet on a line parallel with the north line of said eighty; thence north along said east line to the point of beginning, containing 10 acres;

c. Beginning at a point 495 feet north of the southeast corner of said Section Nineteen (19), thence north 165 feet to the southeast corner of 10-acre tract previously sold to Guy Umbarger; thence west along the south line of said Umbarger 10-acre tract, 792 feet; thence south on a line parallel to the east line, 165 feet; thence east on a line parallel to said Umbarger tract to point of beginning, containing approximately 3 acres;

d. Beginning at the southeast corner of said Section Nineteen (19), thence west



along the south line of said section 690 feet; thence northerly 445 feet; thence easterly 690 feet to a point on the east line of said section, 445 feet north of the southeast corner of said section; thence south along said east line 445 feet to the point of beginning. The above includes 30 feet of road right-of-way along the south side used for Seventh Street and 30 feet of road right-of-way along the east side used for Plummer Avenue. Including the road rights-of-way, the above includes 7.05 acres, more or less; and

e. Beginning at a point 30 feet north of and 690 feet west of the southeast corner of the Southeast Quarter (SE/4) of said Section Nineteen (19); thence west along right-of-way line of present road, 1950 feet, more or less, to the west line of said Southeast Quarter (SE/4); thence north along the west line of said Southeast Quarter (SE/4), 10 feet; thence east parallel to and 10 feet north of the present right-of-way, 1950 feet, more or less, to a point 690 feet west of and 40 feet north of the southeast corner of said Southeast Quarter (SE/4); thence south 10 feet to the point of beginning, containing .44 acres, more or less, condemned for highway purposes.

(b) The real property described in subsection (a) shall be sold or conveyed to the Neosho memorial regional medical center, at the appraised value.

(c) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary for children and families without having first advised and consulted with the joint committee on state building construction.

(d) Prior to the sale or conveyance of the real property described in subsection (a), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(e) When the sale is made, the proceeds thereof shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the state general fund or special revenue fund of the Kansas department for children and families as determined by the secretary for children and families. The secretary for children and families shall transmit a copy of such determination to the director of legislative research.

(f) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 2014 Supp. 75-6609, and amendments thereto.

(g) In the event that the secretary for children and families determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

Sec. 176. On June 30, 2016, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the Kansas endowment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2016, is insufficient to fund the appropriations and transfers that are authorized from the Kansas endowment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2016, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the Kansas endowment for

youth fund and children's initiatives fund in order to fund all such appropriations and transfers that are authorized from the Kansas endowment for youth fund and children's initiatives fund for the fiscal year ending June 30, 2016. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the Kansas endowment for youth fund or children's initiatives fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 177. On June 30, 2017, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the Kansas endowment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2017, is insufficient to fund the appropriations and transfers that are authorized from the Kansas endowment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2017, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the Kansas endowment for youth fund and children's initiatives fund in order to fund all such appropriations and transfers that are authorized from the Kansas endowment for youth fund and children's initiatives fund for the fiscal year ending June 30, 2017. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the Kansas endowment for youth fund or children's initiatives fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 178. (a) On the effective date of this act, during the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000 received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2015 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*, That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water improvement projects in the Republican river basin as described in K.S.A. 2014 Supp. 82a-1804(g), and amendments thereto: *Provided, however*, That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds

\$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*; That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

(b) On July 1, 2015, during the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000, including any moneys credited in fiscal year 2015, received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2016 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*; That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water improvement projects in the Republican river basin as described in K.S.A. 2014 Supp. 82a-1804(g), and amendments thereto: *Provided, however*, That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds \$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*; That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

(c) On July 1, 2016, during the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000, including any moneys credited in fiscal years 2015 and 2016, received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2017 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*; That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water

improvement projects in the Republican river basin as described in K.S.A. 2014 Supp. 82a-1804(g), and amendments thereto: *Provided, however*, That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds \$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*; That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

Sec. 179. (a) Notwithstanding the provisions of K.S.A. 76-719 and 76-817, and amendments thereto, or any other statute, no moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for the state board of regents or any state educational institution as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, shall be expended by the state board of regents or any state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to increase tuition for fiscal year 2016 above the amount of such tuition that was fixed and collected in fiscal year 2015 adjusted by the percentage increase in the consumer price index over the previous calendar year plus 2%.

(b) Notwithstanding the provisions of K.S.A. 76-719 and 76-817, and amendments thereto, or any other statute, no moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the state board of regents or any state educational institution as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, shall be expended by the state board of regents or any state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to increase tuition for fiscal year 2017 above the amount of such tuition that was fixed and collected in fiscal year 2016 adjusted by the percentage increase in the consumer price index over the previous calendar year plus 2%.

(c) As used in this section:

(1) "State educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto, that charges more than \$2,000 in tuition rates to a resident, full-time, per semester undergraduate student.

(2) "Consumer price index" means the consumer price index, United States city average, all items, published monthly by the bureau of labor statistics of the United States department of labor.

Sec. 180. (a) On and after July 1, 2015, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the final seven pay periods of the fiscal year ending June 30, 2016, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(b) On and after July 1, 2016, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the final seven pay periods of the fiscal year ending June 30, 2017, that

constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

Sec. 181. (a) During the fiscal year ending June 30, 2016, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this or other appropriation act of the 2015 regular session of the legislature, to pay for subscriptions to newspapers or magazines, including any electronic subscriptions.

(b) During the fiscal year ending June 30, 2017, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, to pay for subscriptions to newspapers or magazines, including any electronic subscriptions.

(c) The provisions of this section shall not apply to the judicial branch, the state historical society, the state library, the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto.

Sec. 182. (a) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the executive director of the state historical society, from moneys appropriated from the state general fund or any special revenue fund or funds for the state historical society for fiscal year 2016 by this act or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the executive director of the state historical society from the state general fund or from any special revenue fund or funds for fiscal year 2016, to accept and hold, in the name of the state, the Last Chance Store, The South Fifty-Four (54') feet of Lots Fifteen (15) and Sixteen (16), in Block Forty-Seven (47), City of Council Grove, Kansas. Such real property and the improvements thereon shall be acquired in fee simple by gift, grant or designation for the purpose of establishing and maintaining it as an historic property and shall be included in the Kaw Mission state historic site. The state historical society shall have the power to do any and all things necessary to carry out the intent and purpose of this section and to make such rules and regulations for the use, enjoyment and government of the premises as may be necessary.

(b) Conveyance of the property described in subsection (a) shall not be accepted by the executive director of the state historical society until the attorney general approves the deed and determines that such conveyance would convey such land in fee simple to the state of Kansas.

(c) The provisions of K.S.A. 75-2726, and amendments thereto, shall not apply to the acquisition authorized by this section.

Sec. 183. (a) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the chief executive officer of the state board of regents, from moneys appropriated from the state general fund or any special revenue fund or funds for the state board of regents for fiscal year 2016 by this act or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the chief executive officer of the state board of regents from the state general fund or from any special revenue fund or funds for fiscal year 2016, for and on behalf of Pittsburg state university, to exchange and convey the tracts of real property described in subsection (b) to the city of Pittsburg, Kansas, in consideration for the city

of Pittsburg exchanging and conveying the tracts of real property described in subsection (c) to Pittsburg state university. The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by its chairperson and its chief executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general. No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-430a, 75-3043a, 75-6609 or 75-6611, and amendments thereto.

(b) (1) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey a tract of land to the city of Pittsburg commonly known as the south of east hills addition, particularly described as follows: Part of Section Thirty Three (33), Township Thirty (30) South, Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County, Kansas, according to the United States Government Survey thereof bounded and described as follows: Beginning at a point 600 feet East of the SW corner of the North half of the NW  $\frac{1}{4}$  of said Section, thence continuing East 1766.82 feet (more or less) along the South line of the North half of the NW  $\frac{1}{4}$  to a point 300 feet West of the NE corner, SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , thence South and parallel to the East line of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  a distance of 435.60 feet, thence East 300 feet to the East line of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , thence South along the half section line 882.51 feet (more or less) to a  $\frac{3}{4}$  inch iron pipe set at center of said Section, thence East and along the half section line 500.05 feet to the centerline of creek, thence South 753.68 feet, thence West and parallel to the half section line 702.94 feet, thence North 819.46 feet (more or less) to a point being 176.88 feet West and 80.98 feet North of the center of said Section, thence West and parallel to the half section line a distance of 426.63 feet, thence North 368.58 feet, thence West 1629 feet to the East right-of-way of the Kansas City Southern Railroad, thence Northwesterly along railroad right-of-way 491.75 feet, thence East 296.15 feet, thence North 238.41 feet, thence East 110.53 feet (more or less) to a point 600 feet East and 212.50 feet South of the SW corner, NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , thence 212.50 feet to point of beginning. (Said Tract containing 59.0 acres, more or less).

(2) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey a tract of land to the city of Pittsburg, particularly described as follows: Part of the West half (W  $\frac{1}{2}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section Thirty Three (33), Township Thirty (30) South, Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County, Kansas, according to the United States Government Survey thereof bounded and described as follows: Beginning at the Northwest Corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) of said Section Thirty Three (33); thence South along the West line of said Southwest Quarter (SW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of One Thousand Three Hundred Thirty Three (1,333) feet to a  $\frac{3}{4}$  inch iron pipe set at the center of said Section Thirty Three (33); Thence East along the South line of said Southwest Quarter



(SW  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of Five Hundred and Five Hundredths (500.05) feet to center line of creek; Thence generally North along the center line of creek a distance of Seven Hundred Eighty (780) feet, more or less to a point in center line of creek Six Hundred Twenty Nine and Twenty Four Hundredths (629.24) feet South and Four Hundred Seventy One and Four Hundredths (471.04) feet East of the Northwest corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) of said Section Thirty Three (33), Thence North a distance of Forty Four (44) feet to a  $\frac{1}{2}$  inch iron pipe set; Thence continuing North a distance of Two Hundred Forty Three (243) feet to a  $\frac{3}{4}$  inch iron pipe set; Thence North a distance of Twenty Three (23) feet to a point in center line of creek Three Hundred Nineteen and Twenty Four Hundredths (319.24) feet South and Four Hundred Sixty Nine and Ninety Three Hundredths (469.93) feet East of the Northwest Corner of Southwest Quarter (SW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ); Thence North and West with the meander of the center line of creek a distance of One Thousand One Hundred Thirty Eight (1138) feet, more or less to a point in the center line of creek and on the West line of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of Three Hundred Sixty Three and Thirty Three Hundredths (363.33) feet North of the Northwest corner of Southwest Quarter (SW  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ); Thence South along said West line of said Northwest Quarter (NW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of Three Hundred Sixty Three and Thirty Three Hundredths (363.33) feet to the point of beginning. (Said Tract containing 13.73 acres, more or less).

(c) (1) In accordance with the provisions of this section, Pittsburg state university is hereby authorized to accept title to a tract of real property of approximately 25.1 acres commonly known as the research and development park conveyed to the university by the city of Pittsburg, particularly described as follows: Pittsburg Research and Development Park Phase II, Lots 1, 2, 3, 4 and 5.

(2) In accordance with the provisions of this section, Pittsburg state university is hereby authorized to accept title to a tract of real property particularly described as follows: Commencing at the Southwest Corner of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 33, Township 30 South, Range 25 East of the Sixth Principal Meridian, City of Pittsburg, County of Crawford, State of Kansas; thence on a bearing of South 88 Degrees 50 Minutes 56 Seconds East (this and all following bearings are assumed) along the Southerly line of said Quarter Section, a distance of 45.01 feet to a point on the existing right-of-way line of Rouse Avenue and Centennial Avenue as established by resolution and order for Tract 21, dated August 30, 1965, said point being the true point of beginning; thence on a bearing of North 00 Degrees 03 Minutes 28 Seconds West along said existing right-of-way line, a distance of 547.10 feet to a bend point in said existing right-of-way line; thence on a bearing of North 02 Degrees 47 Minutes 29 Seconds East continuing along said existing right-of-way line, a distance of 201.20 feet to a bend point in said existing right-of-way line, thence on a bearing of North 00 Degrees 03 Minutes 28 Seconds West continuing along said existing right-of-way line a distance of 175.66 feet to the point of intersection of said existing right-of-way line with the Westerly right-of-way line of the Kansas City Southern Railroad Company as now established; thence on a bearing of South 29 Degrees 55 Minutes 56 Seconds East along said Westerly right-of-way line, a distance of 1011.10 feet to a point of intersection with the extended Southerly permanent easement line of a sanitary sewer as it now exists; thence on a bearing of North 86 Degrees 35 Minutes 46 Seconds West along said

Southerly permanent easement line, a distance of 310.56 feet to a bend point in said Southerly easement line; thence on a bearing of South 87 Degrees 02 Minutes 31 Seconds West continuing along said Southerly easement line, a distance of 51.73 feet; thence on a bearing of South 44 Degrees 52 Minutes 58 Seconds West, a distance of 91.75 feet to the Northerly line of the Southwest Quarter (SW 1/4) of Section 33, Township 30 South, Range 25 East of the Sixth Principal Meridian; thence continuing on a bearing of South 44 Degrees 52 Minutes 58 Seconds West, a distance of 84.94 feet; thence on a bearing of North 90 Degrees 00 Minutes 00 Seconds West along a line perpendicular to the Westerly line of said Southwest Quarter Section, a distance of 27.23 feet to a point on said existing right-of-way line of Rouse Avenue and Centennial Avenue; thence on a bearing of North 00 Degrees 00 Minutes 00 Seconds East along said existing right-of-way line, a distance of 61.94 feet, to the point of beginning; the above described tract of land contains 231,726 square feet or 5.320 acres more or less.

Sec. 184.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....\$147,588

*Provided*, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Judicial center rehabilitation and repair.....\$73,861

*Provided*, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

National bio and agro-defense facility – debt service.....\$15,855,322

Kansas department of transportation – CTP – debt service.....\$10,434,213

Capitol complex repair and rehabilitation.....\$1,975,752

Restructuring debt service.....\$3,530,798

John Redmond reservoir debt service.....\$1,674,600

University of Kansas medical education building debt service.....\$1,089,750



Debt service refunding.....\$9,354,922

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....\$2,640,800

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund.....No limit

State facilities gift fund.....No limit

Master lease program fund.....No limit

State buildings depreciation fund.....No limit

Executive mansion gifts fund.....No limit

Topeka state hospital cemetery memorial gift fund.....No limit

Capitol area plaza authority planning fund.....No limit

*Provided*, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state highway fund.....No limit

*Provided*, That on September 1, 2015, and February 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$10,000,000 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2016, expenditures may

be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair.....No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2016, expenditures may be made by the above agency from the building and ground fund for fiscal year 2016 from any unencumbered balance as of June 30, 2015, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2016 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2016 from the unencumbered balance in any such account shall be in addition to any expenditure limitations imposed on the building and ground fund for the fiscal year 2016.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects – debt service.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2016.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2016, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2016.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall – debt service.....No limit

Eisenhower building purchase and renovation – debt service.....No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$75,000

(j) On July 1, 2015, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$982,980 from the statehouse debt service – state highway fund of the department of administration to the state general fund.

Sec. 185.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....\$147,588

*Provided*, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Judicial center rehabilitation and repair.....\$73,861

*Provided*, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

National bio and agro-defense facility – debt service.....\$16,247,336

Kansas department of transportation – CTP – debt service.....\$10,436,519

Capitol complex repair and rehabilitation.....\$1,975,753

Restructuring debt service.....\$3,081,839

John Redmond reservoir debt service.....\$1,673,000

University of Kansas medical education building debt service.....\$1,089,750

Debt service refunding.....\$12,964,920

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....\$2,640,800

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund.....No limit

State facilities gift fund.....No limit

Master lease program fund.....No limit

State buildings depreciation fund.....No limit

Executive mansion gifts fund.....No limit

Topeka state hospital cemetery memorial gift fund.....No limit

Capitol area plaza authority planning fund.....No limit

*Provided*, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state highway fund.....No limit

*Provided*, That on September 1, 2016, and February 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,773,755.50 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

Restructuring debt service – state highway fund.....No limit

*Provided*, That on September 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$452,489 from the state highway fund of the department of transportation to the restructuring debt service – state highway fund of the department of administration.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair.....No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2017, expenditures may be made by the above agency from the building and ground fund for fiscal year 2017 from any unencumbered balance as of June 30, 2016, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2017 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2017 from the unencumbered balance in any such account shall be in addition to any expenditure limitations imposed on the building and ground fund for the fiscal year 2017.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects – debt service.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2017.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2017, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitations

imposed on the state buildings depreciation fund for fiscal year 2017.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall – debt service.....No limit

Eisenhower building purchase and renovation – debt service.....No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$75,000

(j) On July 1, 2016, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$2,086,819 from the statehouse debt service – state highway fund of the department of administration to the state general fund.

Sec. 186.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2016, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities.....\$136,900

Rehabilitation and repair.....No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2016, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....No limit

Sec. 187.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2017, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Debt service – 1430 Topeka facilities.....\$132,150
- Rehabilitation and repair.....No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2017, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Rehabilitation and repair.....No limit

Sec. 188.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Insurance department rehabilitation and repair fund.....No limit

Sec. 189.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Insurance department rehabilitation and repair fund.....No limit

Sec. 190.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$3,000,000

*Provided*, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2016 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2016 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – new state security hospital .....\$3,844,481

Debt service – state hospitals rehabilitation and repair.....\$2,549,450

Larned state hospital – city of Larned wastewater treatment.....\$129,620

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Parsons state hospital and training center – energy conservation improvement debt service.....\$187,791

Kansas neurological institute – energy conservation improvement debt service.....\$192,000

Sec. 191.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$3,000,000

*Provided*, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2017 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2017 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as



defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – new state security hospital .....	\$3,850,363
Debt service – state hospitals rehabilitation and repair.....	\$2,589,950
Larned state hospital – city of Larned wastewater treatment.....	\$129,620

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Parsons state hospital and training center – energy conservation improvement debt service.....	\$187,790
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Kansas neurological institute – energy conservation improvement debt service.....	\$192,000
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Sec. 192.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter fully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund.....	No limit
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*Provided*, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2016 for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2016 as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2016 from the moneys appropriated from any special revenue fund for the expenses of

the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*; That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*; That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*; That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2016, expenditures may be made by the above agency from the special employment security fund for fiscal year 2016 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2016 for such capital improvement purposes shall not exceed \$180,263: *Provided further*; That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitations imposed on the special employment security fund for fiscal year 2016.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2016, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2016 for the following capital improvement projects: (1) Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the workmen's compensation fee fund for fiscal year 2016 for such capital improvement purposes shall not exceed \$97,065; and (2) payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund for fiscal year 2016 for such capital improvement purposes shall not exceed \$152,500.

Sec. 193.

#### DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund.....No limit

*Provided*, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2017 for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2017 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2017 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*; That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*; That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*; That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2017, expenditures may be made by the above agency from the special employment security fund for fiscal year 2017 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2017 for such capital improvement purposes shall not exceed \$181,300: *Provided further*; That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitations imposed on the special

employment security fund for fiscal year 2017.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2017, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2017 for the following capital improvement projects: (1) Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the workmen's compensation fee fund for fiscal year 2017 for such capital improvement purposes shall not exceed \$97,623; and (2) payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund for fiscal year 2017 for such capital improvement purposes shall not exceed \$195,000.

Sec. 194.

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and repair projects.....	\$34,900
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(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$150,000
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Veterans' home rehabilitation and repair projects.....	\$100,000
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KSH campus telephone system replacement.....	\$88,000
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KSH demolition of campus structures project.....	\$80,000
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KSH Halsey hall door/threshold replacement.....	\$200,000
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KSH Halsey hall whirlpool room renovation.....	\$66,000
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KSH key replacement system.....	\$165,000
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KSH Lincoln and Grant hall window replacement.....	\$80,000
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KSH Lincoln and Grant hall entrance renovations.....	\$220,000
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KVH bariatric rooms remodel.....	\$82,500
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KVH campus security enhancement.....	\$110,000
KVH campus telephone system.....	\$88,000
KVH key replacement system.....	\$165,000

Sec. 195.

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and repair projects.....	\$9,900
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(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$150,000
Veterans' home rehabilitation and repair projects.....	\$100,000
KSH demolition of campus structures project.....	\$50,000
KSH Halsey hall covered entrance project.....	\$55,000
KSH Halsey hall kitchen renovation.....	\$412,500
KSH Lincoln and Grant hall ADA access upgrades.....	\$165,000
KSH Lincoln hall electrical upgrade.....	\$55,000
KSH Pershing barracks access renovation.....	\$330,000
KSH roof replacements.....	\$80,000
KVH Bleckley hall window replacement.....	\$481,500
KVH Triplett hall flooring replacement.....	\$198,000

Sec. 196.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$235,000
Security system upgrade project.....	\$355,902
Facilities conservation improvement debt service.....	\$38,600
Campus boilers and HVAC upgrades.....	\$69,000

Sec. 197.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$240,000
Security system upgrade project.....	\$309,817
Facilities conservation improvement debt service.....	\$40,459
Campus boilers and HVAC upgrades.....	\$60,000

Sec. 198.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$386,000
Facilities conservation improvement debt service.....	\$78,368
HVAC upgrades.....	\$20,000
Campus life safety and security.....	\$450,206

Sec. 199.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$290,000
Facilities conservation improvement debt service.....	\$81,646
HVAC upgrades.....	\$140,000
Campus life safety and security.....	\$300,907

Sec. 200.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Rehabilitation and repair projects.....	\$250,000
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*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That during the fiscal year ending June 30, 2016, expenditures from the rehabilitation and repair projects account may be made for the purpose of replacing the state archives roof at the state historical society.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the general fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the general fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State archives roof replacement.....	\$42,500
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the general fee fund for fiscal year 2016.

(c) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Grinter place south porch restoration.....	\$50,000
Cottonwood ranch stained glass window repair.....	\$15,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2016.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2016, expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the private gifts, grants and bequests fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the private gifts, grants and bequests fund for fiscal year 2016.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2016, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the historic properties fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historic properties fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the historic properties fee fund for fiscal year 2016.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2016, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state historical facilities fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the state historical facilities fund for fiscal year 2016.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2016, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015:



*Provided further,* That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the save America's treasures fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the save America's treasures fund for fiscal year 2016.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2016, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the historical society capital improvement fund: *Provided,* That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further,* That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historical society capital improvement fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the historical society capital improvement fund for fiscal year 2016.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2016, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided,* That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further,* That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the historical preservation grant in aid fund for fiscal year 2016.

Sec. 201.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Rehabilitation and repair projects.....\$250,000

*Provided,* That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2017 for the following capital improvement project or projects, subject to the

expenditure limitations prescribed therefor:

Kaw indian mission rehabilitation/interpretation project.....	\$293,500
Cottonwood stone wall fence project.....	\$25,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2017.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2017, expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the private gifts, grants and bequests fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the private gifts, grants and bequests fund for fiscal year 2017.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2017, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the historic properties fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historic properties fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the historic properties fee fund for fiscal year 2017.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2017, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state historical facilities fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the state historical facilities fund for fiscal year 2017.

(f) In addition to the other purposes for which expenditures may be made by the

above agency from the save America's treasures fund for fiscal year 2017, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the save America's treasures fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the save America's treasures fund for fiscal year 2017.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2017, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the historical society capital improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historical society capital improvement fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the historical society capital improvement fund for fiscal year 2017.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2017, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the historical preservation grant in aid fund for fiscal year 2017.

Sec. 202.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....No limit

Twin towers project revenue fund.....No limit

Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund.....	No limit
Deferred maintenance support fund.....	No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2015, or June 30, 2016, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improvement fund during fiscal year 2015 or fiscal year 2016 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall.

(d) In addition to the other purposes for which expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 to raze stormont maintenance facility.

Sec. 203.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Twin towers project revenue fund.....	No limit
Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund.....	No limit

Deferred maintenance support fund.....No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2016, or June 30, 2017, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improvement fund during fiscal year 2016 or fiscal year 2017 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall.

Sec. 204.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – bond and interest sinking fund.....No limit

Lewis field renovation – revenue fund.....No limit

Memorial union renovation debt service fund.....No limit

Deferred maintenance support fund.....No limit

Soccer facility fund .....No limit

Wind power generation facility fund.....No limit

Indoor practice facility.....No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas

educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2016, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2016 for a capital improvement project to plan and construct the institute of applied technology and a parking lot for such institute.

Sec. 205.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter fully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – bond and interest sinking fund.....No limit

Lewis field renovation – revenue fund.....No limit

Memorial union renovation debt service fund.....No limit

Deferred maintenance support fund.....No limit

Soccer facility fund .....No limit

Wind power generation facility fund.....No limit

Indoor practice facility.....No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2017, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2017 for a capital improvement project to plan and construct the department of art building and a parking lot for such building.

(d) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2017 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2017 to raze Wiest hall "B."

Sec. 206.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund.....No limit

Ackert hall addition – gifts and grants fund.....No limit

Deferred maintenance support fund.....No limit

Snyder family stadium construction fund.....No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) Any unencumbered balance in each of the following accounts of Kansas state university in the state general fund in excess of \$100 as of June 30, 2015, for the capital improvement project or projects specified, is hereby reappropriated for fiscal year 2016: School of architecture.

(d) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017

authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to expand the chilled water plant: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$56,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university shall make provisions for the maintenance of the chilled water plant.

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing in Salina: *Provided*, That such capital improvement project in hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided*



*further*; That Kansas state university shall make provisions for the maintenance of the student housing.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to expand the student union: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purpose of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all amounts required for the cost of bonds issuance, costs of interest on bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal interest on the bonds: *And provided further*; That all moneys received for the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That Kansas state university shall make provisions for the maintenance of the area of the student union expansion.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the renovation and expansion of Seaton hall, the college of architecture planning and design: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That, Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$60,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for payment of principal and interest on the bonds: *And provided*

*further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the Kansas educational building fund or any other appropriate funds: *And provided further*; That Kansas state university shall make provision for the maintenance of Seaton hall, the college of architecture planning and design.

Sec. 207.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Engineering complex phase II private gift fund.....No limit
- Ackert hall addition – gifts and grants fund.....No limit
- Deferred maintenance support fund.....No limit
- Snyder family stadium construction fund.....No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified as follows:

- Seaton Hall, the college of architecture planning
- and design debt service.....\$3,700,000

Sec. 208.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2016, expenditures may be made by the above agency from the appropriate account or

accounts of the restricted fees fund during fiscal year 2016 for the following capital improvement project or projects:

Equine education and research center.....No limit

Grain science center.....No limit

Southeast research – extension center building.....No limit

Sec. 209.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2017, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2017 for the following capital improvement project or projects:

Equine education and research center.....No limit

Grain science center.....No limit

Southeast research – extension center building.....No limit

Sec. 210.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann renovation revenue fund.....No limit

Overman renovation revenue fund.....No limit

Deferred maintenance support fund.....No limit

Student health center – private gifts fund.....No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by

the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

Sec. 211.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Horace Mann renovation revenue fund.....No limit
- Overman renovation revenue fund.....No limit
- Deferred maintenance support fund.....No limit
- Student health center – private gifts fund.....No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 212.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified as follows:

- School of pharmacy debt service.....\$1,632,325
- School of pharmacy debt service 2009.....\$2,494,614

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund .....	No limit
Regents center revenue fund – KDFA D bonds, 1990.....	No limit
Parking facilities surplus fund – KDFA G bonds, 1993.....	No limit
<i>Provided</i> , That the university of Kansas may transfer moneys during fiscal year 2016 from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.	
Deferred maintenance support fund.....	No limit
Child care facility operations account fund.....	No limit
Child care facility student fee account fund.....	No limit
Student recreation & fitness center revenue fund.....	No limit
Child care facility addition fund.....	No limit

*Provided*, That the university of Kansas may transfer moneys during fiscal year 2016 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by

this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the earth energy environment center: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas shall make provisions for the maintenance of the earth energy environment center.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct a residence hall and dining facility: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purpose of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$51,200,000, plus all amounts required for the cost of bonds issuance, costs of interest on bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal interest on the bonds: *And provided further*, That all moneys received for the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of

Kansas shall make provisions for the maintenance of the residence hall and dining facility.

(f) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to remodel Corbin hall: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purpose of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$14,500,000, plus all amounts required for the cost of bonds issuance, costs of interest on bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal interest on the bonds: *And provided further*, That all moneys received for the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas shall make provisions for the maintenance of Corbin hall.

(g) In addition to the provisions of section 178(c) of chapter 167 of the 2007 Session Laws of Kansas, authorizing the financing of debt service for the bonds issued to construct an addition to the law enforcement training center, debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds of the University of Kansas.

Sec. 213.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,629,288
School of pharmacy debt service 2009.....	\$2,491,364

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

- Student union renovation revenue fund.....No limit
- Student health facility maintenance, repair, and equipment fee fund .....No limit
- Regents center revenue fund – KDFA D bonds, 1990.....No limit
- Parking facilities surplus fund – KDFA G bonds, 1993.....No limit

*Provided*, That the university of Kansas may transfer moneys during fiscal year 2017 from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.

- Deferred maintenance support fund.....No limit
- Child care facility operations account fund.....No limit
- Child care facility student fee account fund.....No limit
- Student recreation & fitness center revenue fund.....No limit
- Child care facility addition fund.....No limit

*Provided*, That the university of Kansas may transfer moneys during fiscal year 2017 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*; That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 214.



(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Parking fund – K.C. campus.....No limit
- Deferred maintenance support fund.....No limit
- Construct parking facility #4 fund.....No limit

*Provided*, That the university of Kansas medical center may transfer moneys during fiscal year 2016 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct parking garage #5: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That the university of Kansas medical center may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$39,600,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants:

*And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That by the university of Kansas medical center shall make provisions for the maintenance of parking garage #5.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the health education building: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$35,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas medical center shall make provisions for the maintenance of the health education building.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the health education building: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received

from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*; That the university of Kansas medical center shall make provisions for the maintenance of the health education building.

Sec. 215.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Parking fund – K.C. campus.....No limit
- Deferred maintenance support fund.....No limit
- Construct parking facility #4 fund.....No limit

*Provided*, That the university of Kansas medical center may transfer moneys during fiscal year 2017 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 216.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On campus parking reserve account fund – K DFA B bonds.....	No limit
Parking system project – maintenance fund, K DFA revenue bonds.....	No limit
On campus parking principal and interest fund – K DFA B bonds.....	No limit
Parking system project revenue fund – K DFA bonds.....	No limit
WSU housing system surplus fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

Sec. 217.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On campus parking reserve account fund – K DFA B bonds.....	No limit
Parking system project – maintenance fund, K DFA revenue bonds.....	No limit
On campus parking principal and interest fund – K DFA B bonds.....	No limit
Parking system project revenue fund – K DFA bonds.....	No limit
WSU housing system surplus fund.....	No limit

Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 218.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

PEI infrastructure – debt service.....	\$5,294,875
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*Provided*, That, during the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2016 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2016 after the principal payment has been received for fiscal year 2016 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2016 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2016 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2016 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2016 from such account or accounts and which is approved by the state board of regents: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2016: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Postsecondary educational infrastructure finance KDFFA
- 2008A revenue fund .....No limit
- Research bond debt services fund.....No limit

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified as follows:

- Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education.....\$29,000,000

*Provided*, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning and new construction, approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided however*; That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2016.

Sec. 219.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

- PEI infrastructure – debt service.....\$2,607,375

*Provided*, That, during the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2017 in the PEI

infrastructure – debt service account of the state general fund for fiscal year 2017 after the principal payment has been received for fiscal year 2017 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2017 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2017 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2017 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2017 from such account or accounts and which is approved by the state board of regents: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2017: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Postsecondary educational infrastructure finance K DFA	
2008A revenue fund .....	No limit
Research bond debt services fund.....	No limit

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education.....	\$32,000,000
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*Provided*, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning and new construction, approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts

and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided however*, That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2017.

Sec. 220.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue.....\$518,137

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....\$500,000

Capital improvements – rehabilitation and repair of correctional institutions.....\$4,110,675

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2016 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2016 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue.....\$126,325

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities.....\$1,526,395



*Provided*, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2016 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of the department of corrections to be expended during fiscal year 2016 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of the department of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile  
correctional facility.....\$3,993,000

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility infrastructure project.....No limit

Sec. 221.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond  
issue.....\$516,862

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....\$500,000

Capital improvements – rehabilitation and repair  
of correctional institutions.....\$4,104,900

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2017 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2017 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects  
 bond issue.....\$127,100

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile  
 correctional facilities.....\$516,910

*Provided*, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2017 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of the department of corrections to be expended during fiscal year 2017 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of the department of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile  
 correctional facility.....\$3,996,500

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility infrastructure project.....No limit

Sec. 222.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$100,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

KBI lab – debt service.....\$4,324,724

Sec. 223.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$100,000

*Provided,* That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

KBI lab – debt service.....\$4,321,069

Sec. 224.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2016, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$55,522

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2016.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2016, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair.....No limit

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2016.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2016, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Topeka fleet service.....\$370,281

Scale replacement and rehabilitation and repair of buildings.....\$253,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2016.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$623,281 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2016 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2016 for support and maintenance of the Kansas highway patrol.

Sec. 225.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2017, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$56,355

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2017.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2017, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair..... No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2017.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2017, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Topeka fleet service.....\$367,825

Scale replacement and rehabilitation and repair of buildings.....\$256,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2017.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$623,825 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2017 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2017 for support and maintenance of the Kansas highway patrol.

Sec. 226.

ADJUTANT GENERAL

(a) On the effective date of this act, of the \$2,741,373 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 253(a) of chapter 136 of the 2013 Session Laws of Kansas, from the state general fund in the debt service – rehabilitation and repair of the statewide armories account, the sum of \$134,886 is hereby lapsed.

(b) On the effective date of this act, of the \$115,188 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 253(a) of chapter 136 of the 2013 Session Laws of Kansas, from the state general fund in the debt service – armory/classroom/recreation center at PSU account, the sum of \$9,233 is hereby lapsed.

(c) On the effective date of this act, of the \$722,613 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 253(a) of chapter 136 of the 2013 Session Laws of Kansas, from the state general fund in the debt service – training center account, the sum of \$29,831 is hereby lapsed.

Sec. 227.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Debt service – training center.....	\$475,544
Debt service – armory/classroom/recreation center at PSU.....	\$81,200
Debt service – rehabilitation and repair of the statewide armories.....	\$731,554
Rehabilitation and repair projects.....	\$163,688

State emergency operations center design.....\$472,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Sec. 228.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service – training center.....\$473,631

Debt service – armory/classroom/recreation center at PSU.....\$83,200

Debt service – rehabilitation and repair of the statewide armories.....\$730,269

Rehabilitation and repair projects.....\$162,489

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Any unencumbered balance in excess of \$100 as of June 30, 2016, in each of the following accounts is hereby reappropriated for fiscal year 2017: State emergency operations center design.

Sec. 229.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund.....No limit

State fair fee fund.....No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

State fair debt service.....\$845,950

Sec. 230.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund.....No limit

State fair fee fund.....No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

State fair debt service.....\$848,550

Sec. 231.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Debt service – Kansas City district office.....\$10,395

*Provided*, That any unencumbered balance in the debt service – Kansas City district office account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund.....No limit

*Provided*, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund.....No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,317,268 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements.....\$484,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2016.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects.....\$1,200,000

Debt service – Kansas City district office.....\$25,200



*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2016.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2016, expenditures may be made by the above agency from the parks fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the parks fee fund for fiscal year 2016.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....	\$11,130
River access.....	\$100,000
Coast guard boating projects.....	\$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2016.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2016, expenditures may be made by the above agency from the boating fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the boating fee fund for fiscal year 2016.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2016, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2016 from the unencumbered balance as of June 30,

2015, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the boating safety and financial assistance fund for fiscal year 2016.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development.....	\$250,000
Land acquisition.....	\$100,000
Federally mandated boating access .....	\$1,490,000
Public lands major maintenance.....	\$35,000
Debt service – Kansas City office.....	\$58,275

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2016.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2016, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife fee fund for fiscal year 2016.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2016, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall

not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife conservation fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife conservation fund for fiscal year 2016.

(n) In addition to other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation.....\$300,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2016.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2016, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the cabin revenue fund for fiscal year 2016.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....\$450,000

Public lands major maintenance.....\$600,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2016.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2016, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2016

from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife restoration fund for fiscal year 2016.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....	\$135,000
Dam repairs.....	\$350,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2016.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2016, expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the sport fish restoration program fund for fiscal year 2016.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....	\$200,000
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2016.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2016, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2016.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2016, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the nongame wildlife improvement fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the nongame wildlife improvement fund for fiscal year 2016.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2016, expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the plant and animal disease and pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the plant and animal disease and pest control fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2016.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2016, expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the land and water conservation fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure

limitations imposed on the land and water conservation fund – local for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the land and water conservation fund – local for fiscal year 2016.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation development.....\$375,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2016.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2016, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund:

*Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the outdoor recreation acquisition, development and planning fund for fiscal year 2016.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program.....\$400,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2016.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2016, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each

existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the recreational trails program fund for fiscal year 2016.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements.....\$515,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2016.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2016, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2016.

(ee) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2016, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2016.



(ff) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2016, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the highway planning/construction fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the highway planning/construction fund for fiscal year 2016.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2016, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state wildlife grants fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the state wildlife grants fund for fiscal year 2016.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2016, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the disaster grants – public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the disaster grants – public assistance for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the disaster grants – public assistance for fiscal year 2016.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the nonfederal grants fund for fiscal year 2016, expenditures may be made by the above agency from the unencumbered balance as of June 30, 2015, in each capital improvement account of the nonfederal grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the nonfederal grants fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the nonfederal grants fund for fiscal year



2016.

(jj) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the bridge maintenance fund of the Kansas department of wildlife, parks and tourism to the state general fund.

Sec. 232.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service – Kansas City district office.....\$10,603

*Provided*, That any unencumbered balance in the debt service – Kansas City district office account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund.....No limit

*Provided*, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund.....No limit

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,304,247 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement.....\$340,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2017.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2017, expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the state agricultural production fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the state agricultural production fund for fiscal year 2017.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects.....	\$1,200,000
Debt service – Kansas City district office.....	\$27,600

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2017.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2017, expenditures may be made by the above agency from the parks fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the parks fee fund for fiscal year 2017.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....	\$12,190
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River access.....	\$100,000
Coast guard boating projects.....	\$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2017.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2017, expenditures may be made by the above agency from the boating fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the boating fee fund for fiscal year 2017.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2017, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the boating safety and financial assistance fund for fiscal year 2017.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development.....	\$250,000
Land acquisition.....	\$400,000
Federally mandated boating access .....	\$1,398,000
Public lands major maintenance.....	\$35,000

Debt service – Kansas City office.....\$64,607

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2017.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2017, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife fee fund for fiscal year 2017.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2017, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife conservation fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife conservation fund for fiscal year 2017.

(o) In addition to other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation.....\$300,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2017.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2017, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount

of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the cabin revenue fund for fiscal year 2017.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....	\$450,000
Public lands major maintenance.....	\$675,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2017.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2017, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife restoration fund for fiscal year 2017.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....	\$100,000
Dam repairs.....	\$350,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2017.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2017, expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the sport fish restoration program fund for fiscal year 2017.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....\$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2017.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2017, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2017.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2017, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to

any expenditure limitations imposed on the nongame wildlife improvement fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the nongame wildlife improvement fund for fiscal year 2017.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2017, expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the plant and animal disease and pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the plant and animal disease and pest control fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2017.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation development.....\$375,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2017.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2017, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the outdoor recreation acquisition, development and planning fund for fiscal year 2017.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2017, expenditures may be made by the above agency from the following capital

improvement account or accounts of the recreational trails program fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program.....\$400,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2017.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2017, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the recreational trails program fund for fiscal year 2017.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements.....\$435,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2017.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2017, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2017.

(ee) In addition to the other purposes for which expenditures may be made by the



above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2017, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2017.

(ff) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2017, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the highway planning/construction fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the highway planning/construction fund for fiscal year 2017.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2017, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state wildlife grants fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the state wildlife grants fund for fiscal year 2017.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2017, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the disaster grants – public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure

limitations imposed on the disaster grants – public assistance for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the disaster grants – public assistance for fiscal year 2017.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the nonfederal grants fund for fiscal year 2017, expenditures may be made by the above agency from the unencumbered balance as of June 30, 2016, in each capital improvement account of the nonfederal grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the nonfederal grants fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the nonfederal grants fund for fiscal year 2017.

Sec. 233. On July 1, 2015, K.S.A. 2014 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that:

(1) For the fiscal year ending June 30, ~~2013~~ 2016, notwithstanding the other provisions of this section, on March 1, ~~2013~~ 2016, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of ~~\$250,000~~ \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2013~~ 2016 from state fair activities and non-fair days activities through March 1, ~~2013~~ 2016, except that, subject to approval by the director of the budget prior to March 1, ~~2013~~ 2016, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2013~~ 2016, the state fair board may certify an amount on March 1, ~~2013~~ 2016, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2013~~ 2016, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2013~~ 2016. Upon receipt

of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification; and

(2) for the fiscal year ending June 30, ~~2014~~ 2017, notwithstanding the other provisions of this section, on March 1, ~~2014~~ 2017, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of ~~\$250,000~~ \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2014~~ 2017 from state fair activities and non-fair days activities through March 1, ~~2014~~ 2017, except that, subject to approval by the director of the budget prior to March 1, ~~2014~~ 2017, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2014~~ 2017, the state fair board may certify an amount on March 1, ~~2014~~ 2017, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2014~~ 2017, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2014~~ 2017. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification; and

~~(3) for the fiscal year ending June 30, 2015, notwithstanding the other provisions of this section, on March 1, 2015, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$250,000 or the amount equal to 5% of the total gross receipts during fiscal year 2015 from state fair activities and non-fair days activities through March 1, 2015, except that, subject to approval by the director of the budget prior to March 1, 2015, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2015, the state fair board may certify an amount on March 1, 2015, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2015, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year 2015. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.~~

(c) On each July 1, the director of accounts and reports shall transfer from the state

general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year, ~~except for the fiscal year ending June 30, 2014, the transfer shall not exceed \$250,000, and for the fiscal year ending June 30, 2015, the transfer shall not exceed \$400,000;~~ and (2) ~~no moneys shall be transferred pursuant to this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, 2013~~ except for the fiscal years ending June 30, 2016, and June 30, 2017, the transfer shall not exceed \$100,000.

Sec. 234. On July 1, 2015, K.S.A. 2014 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2014 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) ~~On July 1, 2013, 2016,~~ on July 1, ~~2014, 2017,~~ and on July 1, ~~2015, 2018,~~ the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 2014 Supp. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 2014 Supp. 74-8959, and amendments thereto, to the contrary, during fiscal year ~~2013, 2016,~~ fiscal year ~~2014, 2017,~~ and fiscal year ~~2015, 2018,~~ moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before January ~~14, 2013, 11, 2016,~~ January ~~13, 2014, 9, 2017,~~ and January ~~12, 2015, 8, 2018,~~ the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 235. On July 1, 2015, K.S.A. 2014 Supp. 55-193, as amended by section 2 of 2015 House Bill No. 2231, is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2020, the director of accounts and reports shall transfer \$100,000 from the state general fund and \$200,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, except that no transfer shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year 2016 or state fiscal year 2017.

Sec. 236. On July 1, 2015, K.S.A. 2014 Supp. 68-2320 is hereby amended to read as follows: 68-2320. (a) On and after July 1, 1991, the secretary of transportation is hereby authorized and empowered to issue bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. The secretary is hereby authorized to issue bonds the total principal amount of which shall not exceed \$890,000,000.

(b) In addition to the provisions of subsection (a), on and after July 1, 1999, the

secretary of transportation is hereby authorized and empowered to issue bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. The secretary is hereby authorized to issue bonds the total principal amount of which shall not exceed \$1,272,000,000.

(c) (1) In addition to the provisions of subsections (a) and (b), on and after July 1, 2010, the secretary of transportation is hereby authorized and empowered to issue additional bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. Except as provided further, no bonds shall be issued by the secretary pursuant to this subsection unless the secretary certifies that, as of the date of issuance of any such series of additional bonds, the maximum annual debt service on all outstanding bonds issued pursuant to this section and K.S.A. 68-2328, and amendments thereto, including the bonds to be issued on such date, will not exceed 18% of projected state highway fund revenues for the current or any future fiscal year. During the fiscal year ending June 30, 2016, and the fiscal year ending June 30, 2017, the provisions of this subsection which prescribe a limitation on the amount of the maximum annual debt service on all outstanding bonds issued pursuant to this section and K.S.A. 68-2328, and amendments thereto, for the purpose of issuing any such series of additional bonds authorized by the secretary are hereby suspended.

(2) As used in this subsection:

(A) "Maximum annual debt service" means the maximum amount of debt service requirements on all outstanding bonds for the current or any future fiscal year;

(B) "debt service requirements" means, for each fiscal year, the aggregate principal and interest payments required to be made during such fiscal year on all outstanding bonds, including the additional bonds to be issued, less any interest subsidy payments expected to be received from the federal government, less any principal and interest payments irrevocably provided for from a dedicated escrow of United States government securities;

(C) "projected state highway fund revenues" means all revenues projected by the secretary of transportation to accrue to the state highway fund for the current or any future fiscal year; and

(D) "fiscal year" means the fiscal year of the state.

(3) Debt service requirements for variable rate bonds outstanding or proposed to be issued for the current or any future fiscal year for which the actual interest rate cannot be determined on the date of calculation shall be deemed to bear interest at an assumed rate equal to the average of the SIFMA swap index, or any successor variable rate index, for the immediately preceding five calendar years plus 1% and an amount determined by the secretary that represents the then current reasonable annual ancillary costs associated with variable rate debt, including credit enhancement, liquidity and remarketing costs; except that, debt service requirements for variable rate bonds that are hedged pursuant to an interest rate exchange or similar agreement that results in

synthetic fixed rate debt shall be deemed to bear interest at the synthetic fixed rate plus .5% and an amount determined by the secretary that represents the then current reasonable annual ancillary costs associated with variable rate debt, including credit enhancement, liquidity and remarketing costs.

(4) Projected state highway fund revenues for the current or any future fiscal year for which the actual revenues cannot be determined on the date of calculation shall be deemed to be the actual revenues for the most recently completed fiscal year, adjusted in each subsequent fiscal year by a percentage equal to the historical average annual increase or decrease in revenues for the five fiscal year period prior to the current fiscal year, and further adjusted to take into account any increases or decreases in the statutory rates of any taxes or other charges or transfers that comprise a portion of the revenues.

(d) In accordance with procurement statutes, the secretary may contract with financial advisors, attorneys and such other professional services as the secretary deems necessary to carry out the provisions of this act, and to do all things necessary or convenient to carry out the powers expressly granted in this act.

Sec. 237. On July 1, 2015, K.S.A. 2014 Supp. 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, is hereby amended to read as follows: 74-50,107. (a) ~~(1) The secretary shall determine and from time to time shall redetermine the rate at which moneys shall be credited to the IMPACT program repayment fund in order to satisfy all bond repayment obligations which have been incurred to finance program costs for IMPACT programs, which shall be referred to as the debt service rate, and the rate at which moneys shall be credited to the IMPACT program services fund in order to finance program costs that are not financed by bonds, which shall be referred to as the direct funding rate. The total of the debt service rate and the direct funding rate shall be the combined rate. Each rate so determined shall be certified to the secretary of revenue. The combined rate determined under this subsection shall not exceed 2%.~~

~~(2) Upon receipt of the rates determined and certified under subsection (a)(1), the secretary of revenue shall apply daily the combined rate to that portion of the moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited as follows: (A) The portion attributable to the debt service rate shall be credited to the IMPACT program repayment fund; and (B) the remaining portion shall be credited to the IMPACT program services fund.~~

~~(3) The aggregate of all amounts credited to the IMPACT program repayment fund under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed the amount which results when the rate of 2% is applied to all moneys withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.~~

~~(4) The provisions of this subsection shall remain in effect prior to July 1, 2012.~~

(b) Commencing July 1, ~~2012~~ 2015, and on the first day of each month thereafter during fiscal year ~~2013~~ 2016, fiscal year ~~2014~~ 2017, and fiscal year ~~2015~~ 2018, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration;



and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 2014 Supp. 74-50,224, and amendments thereto. ~~During fiscal year 2013, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$10,000,000 for such fiscal year.~~ During fiscal years ~~2014 and 2015~~ 2016, 2017 and 2018 the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed ~~\$360,000~~ \$3,500,000 for such fiscal year.

~~(e)~~ (b) Commencing July 1, ~~2015~~ 2018, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 2014 Supp. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 2014 Supp. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 238. On July 1, 2015, K.S.A. 2014 Supp. 74-8963 is hereby amended to read as follows: 74-8963. (a) For the purpose of financing a capital improvement project relating to a national bio and agro defense facility, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in an amount necessary to provide a deposit or deposits to the bioscience development fund, which is hereby created in the state treasury and shall be administered by the department of administration in accordance with the provisions of this section and K.S.A. 2014 Supp. 74-8964 through 74-8967, and amendments thereto, in a total amount not to exceed \$105,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, cost of bond insurance or other credit enhancement for the bonds and any required reserves for the payment of principal and interest on the bonds, for a capital improvement project relating to a national bio and agro defense facility, including, but not limited to, land acquisition, site preparation, fencing, central utility plant facility construction and improvements, including electric, water and sewer utility infrastructure construction and equipment, lift stations, street grading, paving, graveling, macadamizing, curbing, guttering and surfacing, street light fixture connections and facilities, underground gas, water, heating and electrical services and connections, sidewalks and parking facilities, drives and driveway approaches, landscaping and plantings and related facilities and amenities to develop and finance the project. The provisions of this subsection shall not apply on and after July 1, 2013, through June 30, ~~2015~~ 2017.

(b) On and after the effective date of this act, prior to the issuance of any bonds pursuant to this section, the capital improvement project described in subsection (a) shall be approved for the department of administration for the purposes of ~~subsection (b)~~ of K.S.A. 74-8905 (b), and amendments thereto, and the authorization of the

issuance of bonds by the Kansas development finance authority shall be approved by the Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., and amendments thereto, and, for all bonds issued on or after the effective date of this act, shall be approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in ~~subsection (e) of~~ K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given when the legislature is in session. The provisions of this subsection shall not apply on and after July 1, 2013, through June 30, ~~2015~~ 2017.

(c) On and after July 1, 2013, through June 30, ~~2015~~ 2017, for the purpose of financing a capital improvement project relating to a national bio and agro defense facility, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in an amount necessary to provide a deposit or deposits to the bioscience development fund, in a total amount not to exceed \$307,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, cost of bond insurance or other credit enhancement for the bonds and any required reserves for the payment of principal and interest on the bonds, for a capital improvement project relating to a national bio and agro defense facility, including, but not limited to, land acquisition, site preparation, fencing, facility construction and improvements, central utility plant facility construction and improvements, including electric, water and sewer utility infrastructure construction and equipment, lift stations, street grading, paving, graveling, macadamizing, curbing, guttering and surfacing, street light fixture connections and facilities, underground gas, water, heating and electrical services and connections, sidewalks and parking facilities, drives and driveway approaches, landscaping and plantings and related facilities and amenities to develop and finance the project.

(d) On and after July 1, 2013, through June 30, ~~2015~~ 2017, prior to the issuance of any bonds pursuant to subsection (c):

(1) The capital improvement project described in subsection (c) shall be approved for the department of administration for the purposes of ~~subsection (b) of~~ K.S.A. 74-8905(b), and amendments thereto; and

(2) the authorization of the issuance of bonds by the Kansas development finance authority shall be approved by the:

(A) Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., and amendments thereto; and

(B) state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in ~~subsection (e) of~~ K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given when the legislature is in session. Prior to the approval of the issuance of such bonds, except for any bonds that the state finance council has already approved prior to July 1, 2013, the state finance council shall have reviewed the signed contract from the United States department of homeland security for the construction of such capital improvement project and confirmed that such contract contains provisions that any additional costs or any change orders of such capital improvement project shall be paid by the United States department of homeland security and that construction will proceed in accordance with the provisions of such contract.



(e) The department of administration may only make expenditures from the moneys received from the issuance of any bonds pursuant to this section for those purposes set forth in subsection (a) for the capital improvement project.

(f) The debt service for any such bonds issued pursuant to this section shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

(g) The date of maturity on bonds issued pursuant to this section shall not be fixed for a period of time which exceeds 20 years from the date of issuance.

(h) The proceeds from the sale of any bonds, other than refunding bonds, issued pursuant to this section, after payment of any costs related to the issuance of such bonds, shall be paid by the Kansas development finance authority to the department of administration to be applied to the payment of the costs of the capital improvement project authorized pursuant to this section as requested by the secretary of administration and by resolution of the Kansas development finance authority.

Sec. 239. K.S.A. 2014 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2014 Supp. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2), (d)(3), (h), ~~(i) or~~ (j) or (k), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) (A) For fiscal year ~~2013~~ 2016, fiscal year ~~2014~~ 2017 and fiscal year ~~2015~~ 2018, the first \$1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the state general fund to the following: The center of innovation for biomaterials in orthopaedic

research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) For fiscal year ~~2013~~ 2016, fiscal year ~~2014~~ 2017 and fiscal year ~~2015~~ 2018, the next \$5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During the fiscal year ending June 30, 2015, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$13,000,000 for such fiscal year.

(i) During the fiscal year ending June 30, 2016, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed ~~\$35,000,000~~ \$13,000,000 for such fiscal year.

(+)(j) During the fiscal year ending June 30, ~~2015~~ 2017, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed ~~\$32,000,000~~ \$13,000,000 for such fiscal year.

~~(j)~~ (k) During the fiscal year ending June 30, ~~2014~~ 2018, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed ~~\$10,000,000~~ \$13,000,000 for such fiscal year.

Sec. 240. On July 1, 2015, K.S.A. 2014 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2014~~ 2016, and the fiscal year ending June 30, ~~2015~~ 2017, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2013 or 2014~~ 2015 or 2016 regular session of the legislature.

Sec. 241. On July 1, 2015, K.S.A. 2014 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2014 Supp. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2013~~, June 30, ~~2014~~ 2016, June 30, ~~2015~~ 2017, and June 30, ~~2016~~ 2018, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys

transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 242. On July 1, 2015, K.S.A. 2014 Supp. 76-783 is hereby amended to read as follows: 76-783. (a) (1) The Kansas development finance authority is hereby authorized to issue from time to time bonds on behalf of the board of regents in such principal amounts as the Kansas development finance authority and the board of regents determine to be necessary to provide sufficient funds to finance scientific research and development facilities, including, but not limited to, the payment of interest on such bonds, the establishment of reserves to secure such bonds, costs of issuance, refunding any outstanding bonds, and all other expenditures of the board of regents incident to and necessary or convenient to carry out the powers and functions authorized by this act. The Kansas development finance authority shall not issue any bond or bonds on behalf of the corporation formed by the board of regents under this act. The Kansas development finance authority shall not issue bonds under this act for more than \$120,000,000, in the aggregate, plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such scientific research and development facilities and any required reserves for payment of principal and interest on any such bond.

(2) Except as may otherwise be expressly provided by the board of regents, every obligation of the board of regents with respect to such bonds shall be an obligation of the board of regents payable out of any revenues or moneys of the board of regents derived from annual appropriations of the legislature. Subject only to any agreements with holders of particular bonds pledging any particular revenues, the board of regents shall use moneys derived from scientific research and development facilities to provide funds sufficient to pay principal and interest on any bonds issued pursuant to this act commencing after the date a project is completed and has been accepted by the board of regents. Subject to the provisions of appropriation acts, payment of principal and

interest on the bonds shall be made by the state board of regents from annual appropriations by the legislature from such revenues as are furnished by the board of regents, or from any other available funds, in amounts sufficient to pay principal and interest on the bonds until the bonds are finally paid.

(3) Upon acceptance by the board of regents of each project initiated and completed under this act and upon a determination by the board of regents that the period for repayment of debt for such project is to commence, the board of regents shall certify to the director of accounts and reports that principal and interest payments for such project are to commence and the dates and amounts of all principal and interest payments for such project. Pursuant to each such certification and commencing on or after July 1, 2004, the director of accounts and reports shall transfer, from the state general fund to the debt service fund or funds at a state educational institution as specified in the certification for such project, the amount certified on or before the respective payment date therefor. Transfers shall be made under this section pursuant to any such certification on or after July 1, 2004. All such transfers during the fiscal years ending ~~June 30, 2013~~, ~~June 30, 2014~~ 2016, ~~June 30, 2015~~ 2017, and ~~June 30, 2016~~ 2018, shall be considered to be revenue transfers from the state general fund. The aggregate of all such transfers from the state general fund during any fiscal year shall not exceed \$10,000,000 and the aggregate of all such transfers from the state general fund under this section shall not exceed \$50,000,000. The Kansas development finance authority and the board of regents shall enter into contracts with respect to the scientific research and development facilities financed under this act prescribing the obligation of the board of regents and the state educational institutions to provide for repayment of amounts of bond debt service in addition to those amounts provided for by transfers under this section from the state general fund.

(b) (1) The bonds shall be authorized by a resolution adopted by the board of directors of the Kansas development finance authority.

(2) Except as otherwise provided in this act, bonds issued by the Kansas development finance authority under authority of this act shall be subject to the provisions of K.S.A. 74-8901 et seq., and amendments thereto.

(c) Any resolution authorizing the board of regents to incur any obligation with respect to bonds issued by the Kansas development finance authority may contain such provisions as deemed appropriate by the board of regents for the purpose of carrying out the purposes of this act and securing such bonds, which shall be a part of the contract with the holders thereof, including, but not limited to, provisions:

(1) Pledging all or any part of the revenues of the board of regents derived from scientific research and development facilities to secure the payment of the bonds or of any issue thereof, subject to such agreements with bondholders as may then exist;

(2) the setting aside of reserves or sinking funds and the regulation and disposition thereof;

(3) limitations on the issuance of additional bonds or other obligations, the terms upon which additional bonds or obligations may be issued and secured, and the refunding of outstanding or other bonds;

(4) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the board of regents to the Kansas development finance authority, the applicable bond trustee or the holders of the bonds, except that such rights and remedies shall not be inconsistent with the general laws of this state and the other

provisions of this act; and

(5) any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

(d) Any of the provisions relating to any bonds described in this section may be set forth in a trust indenture, loan agreement, lease agreement or other financing document authorized by a resolution of the board of regents or the board of directors of the Kansas development finance authority.

(e) The bonds of each issue may, in the discretion of the board of directors of the Kansas development finance authority, be made redeemable before maturity at such prices and under such terms and conditions as may be determined by the board of directors of the Kansas development finance authority. Bonds issued on behalf of the board of regents shall mature at such time, not exceeding 30 years from their date of issue, as may be determined by the board of regents and the board of directors of the Kansas development finance authority. The bonds may be issued as serial bonds payable in annual installments or as term bonds or as a combination thereof. The bonds shall bear interest at such rate either fixed or variable, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment and at such place, and be subject to such terms of redemption as provided in the resolution of trust indenture. The bonds may be sold by the Kansas development finance authority, at public or private sale, at such price as the board of directors of the Kansas development finance authority shall determine.

(f) In case any officer of the Kansas development finance authority whose signature or a facsimile of whose signature appears on any bonds or coupons attached thereto ceases to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

(g) Any bonds issued by the Kansas development finance authority pursuant to this section, and the income therefrom (including any profit from the sale thereof) shall at all times be free from taxation by the state or any agency, political subdivision or instrumentality of the state, including income and property taxes.

(h) Any holder of bonds issued under the provisions of this act, or any coupons appertaining thereto and the trustee under any trust agreement or resolution authorizing the issuance of such bonds, except the rights under this act may be restricted by such trust agreement or resolution, may, either at law or in equity by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted under this act or under such agreement or resolution, or under any other contract executed by the board of regents pursuant to this act, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the board of regents or by an officer thereof.

(i) The bonds shall be special, limited obligations of the Kansas development finance authority and the state shall not be liable for bonds issued by the Kansas development finance authority on behalf of the board of regents, and such bonds shall not constitute a debt of the state.

(j) Neither the board of regents, the board of the Kansas development finance authority nor any authorized employee of the board of regents or the Kansas development finance authority shall be personally liable for such bonds by reason of the

issuance thereof.

(k) Nothing in this act shall be construed as a restriction or limitation upon any other powers which the board of regents might otherwise have under any other law of this state, and this act is cumulative to any such powers. This act does and shall be construed to provide a complete, additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws. The issuance of bonds under the provisions of this act need not comply with the requirements of any other state law applicable to the issuance of bonds. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument as security therefor, except as is provided in this act.

(l) Any of the provisions relating to bonds described in this section may be included in any contracts between the board of regents and the Kansas development finance authority relating to obligations of the Kansas development finance authority issued on behalf of the board of regents.

Sec. 243. On July 1, 2015, K.S.A. 2014 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2014 Supp. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2014 Supp. 76-7,104, and amendments thereto, during the fiscal year ending ~~June 30, 2013~~, ~~June 30, 2014~~ 2016, ~~June 30, 2015~~ 2017, and ~~June 30, 2016~~ 2018, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 244. On July 1, 2015, K.S.A. 2014 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2013, 2014, and 2015~~, 2016, 2017 and 2018; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2016~~ 2019 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during fiscal year ~~2016~~ 2019 shall be considered to be revenue transfers from the state general



fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 245. On July 1, 2015, K.S.A. 2014 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2013, 2014, 2015 and 2016, 2017 and 2018~~. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 246. On July 1, 2015, K.S.A. 2014 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 2014 Supp. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2013~~, state fiscal year ~~2014~~ 2016, state fiscal year ~~2015~~ 2017, or state fiscal year ~~2016~~ 2018; (3) all transfers under this section shall be considered to be demand transfers from the state general fund; and (4) (A) on each January 14, April 14, July 14 and October 14 of state fiscal years ~~2012, 2013, 2014, 2015 and 2016, 2017 and 2018~~ the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425c, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425c, and amendments thereto: (i) The following amounts shall be added to the apportionment and payment to be paid to the following counties: Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98;



Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57; Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91; Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county, \$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county, \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c, and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(4)(A); and (C) acceptance of the payments made pursuant to this subsection (a)(4) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009.

Sec. 247. On July 1, 2015, K.S.A. 2014 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. ~~On the effective date of this act, for the fiscal year ending June 30, 2014, the director of accounts and reports shall transfer \$200,000 from the state~~

~~highway fund to the Kansas qualified biodiesel fuel producer incentive fund. No moneys shall be transferred from the state highway fund or from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund during the fiscal year ending June 30, 2015. On July 1, 2015, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 \$50,000 from the state highway fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state highway fund for such transfer on July 1, 2016, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state highway fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.~~

Sec. 248. On July 1, 2015, K.S.A. 2014 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2013; June 30, 2014~~ 2016, June 30, ~~2015~~ 2017, or June 30, ~~2016~~ 2018. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 2014 Supp. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 2014 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 249. On July 1, 2015, K.S.A. 2014 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 2014 Supp. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than  $\frac{1}{2}$  of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund which are created by this section.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital

formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds which shall be used for economic development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 which in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. No moneys shall be transferred from the state economic development initiatives fund to the state water plan fund on such dates during state fiscal year 2014. ~~In state fiscal year 2015, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 which in the aggregate equal \$800,000 from the state economic development initiatives fund to the state water plan fund 2016, state fiscal year 2017 and state fiscal year 2018.~~ No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance, which meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 250. On July 1, 2015, K.S.A. 2014 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that no moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years ending June 30, ~~2013~~ 2016, June 30, ~~2014~~ 2017, and June 30, ~~2015~~ 2018.

Sec. 251. K.S.A. 2014 Supp. 74-99b34 and 74-99b34a are hereby repealed.

Sec. 252. On July 1, 2015, K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, as amended by section 2 of 2015 House Bill No. 2231, 68-2320, 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, 74-8963, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a are hereby repealed.

Sec. 253. *Severability.* If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 254. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 255. *Savings.* (a) Any unencumbered balance as of June 30, 2015, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited for fiscal year 2016 by this or any other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2016, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2016, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited for fiscal year 2017 by this act or any other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2017, for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 256. (a) During the fiscal year ending June 30, 2016, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2015 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2016, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special

revenue fund.

(b) During the fiscal year ending June 30, 2017, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2015 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2017, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund.

(c) As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 257. *Federal grants.* (a) During the fiscal year ending June 30, 2016, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for fiscal year 2016, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2017, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency for fiscal year 2017 by this or other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for fiscal year 2017 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2017, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2017.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2016 and fiscal year 2017 by this act or any other appropriation act of the 2015 regular session of the legislature to apply for and receive federal grants during fiscal year 2016 and fiscal year 2017, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 258. (a) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature, and having an unencumbered balance as of

June 30, 2015, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2016, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2014.

(b) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature, and having an unencumbered balance as of June 30, 2016, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 259. (a) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2015, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2016, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2014.

(b) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2016, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 260. (a) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2015, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2016, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2014.

(b) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2016, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing

such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 261. (a) Any transfers of money during the fiscal year ending June 30, 2016, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2016.

(b) Any transfers of money during the fiscal year ending June 30, 2017, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2017.";

Also on page 3, in line 40, by striking "statute book" and inserting "Kansas register"; And by renumbering remaining section accordingly;

On page 1, in the title, by striking all in lines 1 through 3 and inserting "AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, as amended by section 2 of 2015 House Bill No. 2231, 68-2320, 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, 74-8963, 74-99b34, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b34a.";

And your committee on conference recommends the adoption of this report.

RON RYCKMAN

SHARON SCHWARTZ

*Conferees on part of House*

TY MASTERSON

JIM DENNING

*Conferees on part of Senate*

On motion of Rep. Ryckman, the conference committee report on **H Sub for SB 112** was adopted.

On roll call, the vote was: Yeas 64; Nays 48; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Concannon, Corbet, Davis, Dove, Esau, Estes, Ewy, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Hutchins, Hutton, Johnson, D. Jones, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Powell, Proehl, Read, Rhoades, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster,



Whitmer, Williams.

Nays: Alcalá, Ballard, Becker, Bradford, Burroughs, Carmichael, Clark, Clayton, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Henderson, Henry, Hibbard, Highberger, Kelley, Kiegerl, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Peck, Phillips, Rooker, Rubin, Ruiz, Sawyer, Scapa, Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Carlin, Claeys, Hill, Hineman, Houston, Huebert, Jennings, K. Jones, Kahrs, Patton, Sloan.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: AS one who represents a district containing a regents' institution I believe strongly in providing stable funding for higher education. Our public universities need predictability. We can't budget to spend more money than we have, and then pull the rug out from under these vital institutions half-way through the year. We must continue to fight for our colleges and universities – it's too important not to. But, it must be real funding that we can count on. I vote no on **H Sub for SB 112**. – TOM PHILLIPS

MR. SPEAKER: This budget continues the policy of using smoke and mirrors to give the appearance of a balanced budget. This budget – which calls for \$400 million in deficit spending – is anything but balanced. Kansans deserve a transparent and complete funding process that isn't built through sweeps, transfers, and increased debt. **H Sub for SB 112** puts the cart before the horse and spends more than we have so I vote no. – BLAINE FINCH, TOM MOXLEY, DIANA DIERKS, LARRY HIBBARD, MELISSA ROOKER, GREG LEWIS, STEPHANIE CLAYTON, LONNIE CLARK, LINDA GALLAGHER

MR. SPEAKER: I stand ready to pass a temporary appropriation in order to keep the doors open and to keep people working. That's critical. But, it's also critical for us to pass a long-term balanced budget that gives people the kind of stability they deserve so that we don't continue to put our schools and our state employees in this position year after year. Without a balanced budget, the Governor is free to make cuts whenever and wherever he wants without input from the Legislature. I'm not willing to sign over a blank check like that. I vote no on **H Sub for SB 112**. – SUSIE SWANSON, STEVEN R. BECKER

MR. SPEAKER: I vote no on **H Sub for SB 112**. I cannot support a budget that relies on more than \$270 million in extraordinary transfers from the State Highway Fund to fund expenses of the State General Fund. Highways are essential to a prosperous rural Kansas. It is critical that a long term budget be passed that adequately finances the needs of all Kansans. – SHANNON FRANCIS

MR. SPEAKER: Clearly my hypocrisy knows no bounds. I vote yes on **H Sub for SB 112**. – SCOTT SCHWAB

MR. SPEAKER: While it is past time for the Kansas Legislature to pass a budget, I vote no on **H Sub for SB 112** because I have serious concerns and reservations. The state is



required to pass a balanced budget, and this budget is \$350 million short. Additionally, the budget relies on one-time transfers that do nothing to address the underlying structural imbalances the state is facing. – GAIL FINNEY, VALDENIA WINN, PAM CURTIS, PONKA-WE VICTORS, ED TRIMMER, JERRY HENRY, JARROD OUSLEY, TOM SAWYER, DENNIS “BOOG” HIGHBERGER, BRANDON WHIPPLE, LOUIS RUIZ

### COMMITTEE ASSIGNMENT CHANGE

Speaker pro tem Mast announced the appointment of Rep. Burroughs to replace Rep. Bridges on Committee on Taxation for the remainder of the 2015 session.

On motion of Rep. Vickrey, the House recessed until 4:00 p.m.

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### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

### INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. B. Carpenter are spread upon the Journal:

Abduljaleel Alarbash was a student at Wichita State University studying electrical engineering. Jaleel was 22 years old and he excelled in his studies at the university. He also donated his time to volunteering for causes he believed in around campus. He went back to his home country of Saudi Arabia so that he could wed the woman he loved. Last Friday, Jaleel and his brother performed an act of heroism to save hundreds of lives from an act of terrorism at a mosque in Dammam, Saudi Arabia. Today I am joined by Jaleel's loving friends who had the opportunity to get to know him. My love and sympathy goes out to all of you.

Alexander Hamilton once said, “There is a certain enthusiasm in liberty, that makes human nature rise above itself, in acts of bravery and heroism.” I believe that Jaleel rose up and became a hero last Friday. I hope he is never forgotten.

### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2109** and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

### CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Reps. Schwartz and Henry as members of the conference committee on **S Sub for HB 2135** to replace Reps. Macheers and Ballard.

On motion of Rep. Vickrey, the House adjourned until 10:30 a.m., Thursday, June 4, 2015.

# Journal of the House

EIGHTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, June 4, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 106 members present.

Reps. Bollier, Bridges, Campbell, Carlin, Claeys, DeGraaf, Hineman, Houston, Huebert, Jennings, Johnson, K. Jones, Kahrs, Moxley, Patton, Peck, Rubin, Scapa and Sloan were excused on excused absence by the Speaker.

Present later: Reps. Campbell, Huebert, Johnson, Moxley, Rubin and Scapa.

Prayer by Chaplain Brubaker:

Father God,  
Thank You for another day in which You provide  
strength, courage, encouragement and progress.  
Lord, as our leaders face the difficult decisions,  
we understand that because You have created us all so different,  
there will be differences of opinions and philosophies  
on how to approach the issues.  
In *our* hearts, each of *us* plan our course,  
but it is You who establishes *our* steps.  
Guide our steps today.  
Help us to move forward as we endeavor to work together.  
Remind us that even though our ways seems pure to us,  
our motives and intentions are weighed by You.  
Help us to commit to You whatever *we* do,  
knowing that You are the one to establish our plans.  
We ask for Your power to break through this impasse.  
Some might be tired and weary – we ask for energy.  
Some may be discouraged – we ask for encouragement.  
Some may be exasperated – we ask for patience.  
Most of all... we ask for wisdom.  
In Your Son's Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Mason.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint

Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2281**.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2281** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK  
MICHAEL O'DONNELL, II  
LAURA KELLY  
*Conferees on part of Senate*

DANIEL R. HAWKINS  
SCOTT SCHWAB  
*Conferees on part of House*

On motion of Rep. Hawkins the conference committee report on **S Sub for HB 2281** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Hawkins, Schwab and Ward as second conferees on the part of the House.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 270** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MARVIN KLEEB  
GENE SUELLENTROP  
TOM SAWYER  
*Conferees on part of House*

LES DONOVAN  
CARYN TYSON  
TOM HOLLAND  
*Conferees on part of Senate*

On motion of Rep. Kleeb the conference committee report on **H Sub for SB 270** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as second conferees on the part of the House.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Mast announced the appointment of Rep. Frownfelter to replace Rep. Houston on Committee on Insurance for the remainder of the 2015 session.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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**AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**REPORTS OF STANDING COMMITTEES**

Committee on **Insurance** recommends **SB 206** be amended by the adoption of the amendments recommended by the House Committee on Judiciary as reported in the Journal of the House on March 23, 2015, and the bill as as amended by House Committee, be amended on page 1, by striking all in lines 9 through 34;

By striking all on pages 2 through 19;

On page 20, by striking all in lines 1 through 21; following line 21, by inserting:

"Section 1. K.S.A. 2014 Supp. 40-5905 is hereby amended to read as follows: 40-5905. For the purposes of this act:

(a) (1) "Covered service" means any service or material for which:

(A) Reimbursement from the vision care insurance or health benefit plan is provided for by an insured's vision care insurance plan or health benefit plan contract subject to the application of the vision care insurance or health benefit plan's deductibles, copayments or coinsurance; or

(B) a reimbursement would be available subject to the application of any contractual limitations of deductibles or copayments required under the vision care discount plan coinsurance.

(2) "Covered services" does not include any services or materials covered or provided at a nominal or de minimus rate.

(b) "Contractual discount" means a percentage reduction from a vision care provider's usual and customary rate for providing covered services and materials required under a participating provider agreement.

(c) "Discount card" shall have the meaning ascribed to such term in K.S.A. 50-1,100, and amendments thereto.

(d) "Health benefit plan" shall have the meaning ascribed to such term in K.S.A. 40-4602, and amendments thereto.

(e) "Health insurer" shall have the meaning ascribed to such term in K.S.A. 40-4602, and amendments thereto.

(f) "Material" includes, but is not limited to, lenses, devices containing lenses, prisms, lens treatments and coatings, contact lenses, orthoptics, vision training and any prosthetic device necessary to correct, relieve, or treat any defect or abnormal condition of the human eye or its adnexa.

(g) "Participating provider agreement" includes a health benefit plan, vision care insurance or a vision care discount plan.

(h) "Participating provider" shall have the meaning ascribed to such term in K.S.A. 40-4602, and amendments thereto.

(i) "Vision care insurance" means an integrated health benefit plan or vision care insurance policy or contract which provides vision benefits pertaining to the provision of covered services or materials.

(j) "Vision care provider" means an optometrist licensed by the board of examiners in optometry or an ophthalmologist licensed by the state board of healing arts.

(k) "Vision care discount plan" means any entity ~~governed by K.S.A. 50-1,100, and amendments thereto~~, which has been specifically authorized by the vision care providers to provide discounts to patients, but which plan is not insurance nor a discount card as defined in K.S.A. 50-1,100, and amendments thereto.

Sec. 2. K.S.A. 2014 Supp. 40-5906 is hereby amended to read as follows: 40-5906. (a) K.S.A. 2014 Supp. 40-5901 through 40-5906, and amendments thereto, shall be known and may be cited as the vision care services act.

(b) The commissioner of insurance shall administer the provisions of the vision care services act and may adopt such rules and regulations as necessary to carry out the provisions of the act as it applies to any insurer, health insurer, health benefit plan or vision care insurance provider. Such rules and regulations shall be adopted no later than January 1, 2016.

(c) The attorney general shall administer the provisions of the vision care services act as it applies to discount cards and vision care discount plans and may adopt such rules and regulations as necessary to carry out the provisions of the act. Such rules and regulations shall be adopted no later than January 1, 2016.

Sec. 3. K.S.A. 2014 Supp. 40-5905 and 40-5906 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 through 5; in line 6, by striking all before the period and inserting "the vision care services act; relating to powers and duties of the commissioner of insurance; powers and duties of the attorney general; amending K.S.A. 2014 Supp. 40-5905 and 40-5906 and repealing the existing sections"; and the bill be passed as amended.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### MESSAGES FROM THE GOVERNOR

**HB 2005** approved on June 4, 2015

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **H Sub for SB 270**, and has appointed Senators Donovan, Tyson and Holland as second conferees on the part of the Senate.

Also, the Senate adopts the Conference Committee report on **HB 2048**.

The Senate not adopts the Conference Committee report on **S Sub for HB 2177**, requests a conference and appoints Senators King, Smith and Pettey as second conferees on the part of the Senate.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 270** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House on Final Action amendments, as follows: On page 49, in line 37, before the period by inserting ", and prior to July 1, 2018";

On page 50, in line 1, after the period by inserting "No resident individual shall enroll and be eligible to participate in this program after June 30, 2018."; in line 11, before the comma by inserting "until January 1, 2019"; in line 17, before "there" by inserting "and before January 1, 2019,"; in line 22, before "and" by inserting "and prior to January 1, 2018,";

On page 51, following line 2, by inserting:

"Sec. 9. K.S.A. 2014 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110.

(a) *Resident Individuals.* Except as otherwise provided by ~~subsection (a)~~ of K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000 .....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(D) For tax-year ~~years~~ 2015 through 2018:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year ~~2016~~ 2019:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.4% of Kansas taxable income
Over \$30,000.....	\$720 plus <del>4.6%</del> <u>4.5%</u> of excess over \$30,000

(F) For tax year ~~2017~~ 2020, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus <del>4.6%</del> <u>4.3%</u> of excess over \$30,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus 3.9% of excess over \$30,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax-year years 2015 through 2018:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year ~~2016~~ 2019:

If the taxable income is:	The tax is:
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Not over \$15,000.....	2.4% of Kansas taxable income
Over \$15,000.....	\$360 plus <del>4.6%</del> <u>4.5%</u> of excess over \$15,000

(F) For tax year ~~2017~~ 2020, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus <del>4.6%</del> <u>4.3%</u> of excess over \$15,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus <del>3.9%</del> <u>4.3%</u> of excess over \$15,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

- (1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and
- (2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;
- (B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and
- (C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in ~~paragraph (2)~~ of subsection (a) ~~(2)~~ hereof.

(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2014 Supp. 79-32,269, and amendments thereto. Notwithstanding the provisions of subsections (a) and (b), for tax year 2017, and all tax years thereafter, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero.

Sec. 10. K.S.A. 2014 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

- (b) There shall be added to federal adjusted gross income:
  - (i) Interest income less any related expenses directly incurred in the purchase of



state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed

pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2014 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to ~~paragraph (xv) of subsection (e) of~~ K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2014 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2014 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to ~~paragraph (xiii) of subsection (e) (c)(xiii)~~, or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For all taxable years beginning after December 31, 2012, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S

corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For all taxable years beginning after December 31, 2012, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For all taxable years beginning after December 31, 2012, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For all taxable years beginning after December 31, 2012, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For all taxable years beginning after December 31, 2012, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2014 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2014 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2014 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2014 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas Venture Capital, Inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to

and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2014 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For all taxable years beginning after December 31, 2012, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2014 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are

included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For all taxable years beginning after December 31, 2012, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B) in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4 from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For all taxable years beginning after December 31, 2012, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of ~~paragraph (xix)~~ of subsection (b) ~~(xix)~~ attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the

Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For all taxable years beginning after December 31, 2013, the net gain from the sale of Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 11. K.S.A. 2014 Supp. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) If federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax ~~year~~ years commencing on and after January 1, 2015, the Kansas itemized deduction of an individual means ~~60% of the total amount of following~~ deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(5) For the tax year commencing on January 1, 2016, the Kansas itemized deduction of an individual means 55% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(6) For tax years commencing on and after January 1, 2017, the Kansas itemized deduction of an individual means 50% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(b) The total amount of deductions from federal adjusted gross income shall be



reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 2014 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

(c) The provisions of this section that provide for a reduction in the total amount of deductions from federal adjusted gross income shall not apply to contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code, and amendments thereto.

(d) Notwithstanding any provision of this section to the contrary, for taxable years commencing after January 1, 2013, the total amount of deductions from federal adjusted gross income shall be reduced by the total amount of wagering losses claimed as an itemized deduction in section 165(d) of the federal internal revenue code, and amendments thereto.

Sec. 12. K.S.A. 79-32,265 is hereby amended to read as follows: 79-32,265. Except as otherwise provided, no credit provided under the Kansas income tax act, and amendments thereto, shall be allowed for: (a) Any individual who fails to provide a valid social security number issued to such individual, the individual's spouse and dependents of the individual for purposes of section 205 (c)(2)(A) of the social security act on such individual's Kansas income tax return as the identifying number for such individual for tax purposes; or (b) or any individual who has not been issued a valid social security number for the entire taxable year in which such credit is claimed, except that this provision shall not apply for an individual whose spouse possesses a valid social security number for the entire taxable year and whose filing status for income tax purposes is married filing jointly. The provisions of this section shall not apply to the credit provided by K.S.A. 79-32,111, and amendments thereto.

Sec. 13. K.S.A. 2014 Supp. 79-3310 is hereby amended to read as follows: 79-3310. There is imposed a tax upon all cigarettes sold, distributed or given away within the state of Kansas. ~~On and after July 1, 2002, and before January 1, 2003, the rate of such tax shall be \$.70 on each 20 cigarettes or fractional part thereof or \$.875 on each 25 cigarettes, as the case requires. On and after January 1, 2003~~ July 1, 2015, the rate of such tax shall be ~~\$.79~~ \$1.29 on each 20 cigarettes or fractional part thereof or ~~\$.99~~ \$1.61 on each 25 cigarettes, as the case requires. Such tax shall be collected and paid to the director as provided in this act. Such tax shall be paid only once and shall be paid by the wholesale dealer first receiving the cigarettes as herein provided.

The taxes imposed by this act are hereby levied upon all sales of cigarettes made to any department, institution or agency of the state of Kansas, and to the political subdivisions thereof and their departments, institutions and agencies.

Sec. 14. K.S.A. 79-3310c is hereby amended to read as follows: 79-3310c. ~~(4)~~ On or before ~~July 30, 2002~~ 31, 2015, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on July 1, ~~2002~~ 2015. A tax of ~~\$.46~~ \$.50 on each 20 cigarettes or fractional part thereof or ~~\$.575~~ \$.62 on each 25 cigarettes, as the case requires and ~~\$.46 or \$.575~~ \$.50 or \$.62, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to July 1, ~~2002~~ 2015, is hereby imposed and



shall be due and payable in equal installments on or before ~~July 30, 2002, on or before September 30, 2002, and on or before December 30, 2002~~ October 31, 2015. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.

(2) ~~On or before January 30, 2003, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on January 1, 2003. A tax of \$.09 on each 20 cigarettes or fractional part thereof or \$.115 on each 25 cigarettes, as the case requires and \$.09 or \$.115, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to January 1, 2003, is hereby imposed and shall be due and payable in equal installments on or before January 30, 2003, on or before March 30, 2003, and on or before June 30, 2003. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.~~

Sec. 15. K.S.A. 2014 Supp. 79-3311 is hereby amended to read as follows: 79-3311. The director shall design and designate indicia of tax payment to be affixed to each package of cigarettes as provided by this act. The director shall sell water applied stamps only to licensed wholesale dealers in the amounts of 1,000 or multiples thereof. Stamps applied by the heat process shall be sold only in amounts of 30,000 or multiples thereof, except that such stamps which are suitable for packages containing 25 cigarettes each shall be sold in amounts prescribed by the director. Meter imprints shall be sold only in amounts of 10,000 or multiples thereof. Water applied stamps in amounts of 10,000 or multiples thereof and stamps applied by the heat process and meter imprints shall be supplied to wholesale dealers at a discount of ~~90% on and after July 1, 2002, and before January 1, 2003, and 80%~~ 0.55% on and after July 1, 2015, and thereafter, from the face value thereof, and shall be deducted at the time of purchase or from the remittance therefor as hereinafter provided. Any wholesale cigarette dealer who shall file with the director a bond, of acceptable form, payable to the state of Kansas with a corporate surety authorized to do business in Kansas, shall be permitted to purchase stamps, and remit therefor to the director within 30 days after each such purchase, up to a maximum outstanding at any one time of 85% of the amount of the bond. Failure on the part of any wholesale dealer to remit as herein specified shall be cause for forfeiture of such dealer's bond. All revenue received from the sale of such stamps or meter imprints shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the cigarette tax refund fund and shall credit the remaining balance to the state general fund. A refund fund designated the cigarette tax refund fund not to exceed \$10,000 at any time shall be set apart and maintained by the director from taxes collected under this act and held by the state treasurer for prompt payment of all refunds authorized by this act. Such cigarette tax refund fund shall be in such amount as the director shall determine is necessary to meet current refunding requirements under this act.

The wholesale cigarette dealer shall affix to each package of cigarettes stamps or tax meter imprints required by this act prior to the sale of cigarettes to any person, by such dealer or such dealer's agent or agents, within the state of Kansas. The director is empowered to authorize wholesale dealers to affix revenue tax meter imprints upon original packages of cigarettes and is charged with the duty of regulating the use of tax meters to secure payment of the proper taxes. No wholesale dealer shall affix revenue tax meter imprints to original packages of cigarettes without first having obtained permission from the director to employ this method of affixation. If the director approves the wholesale dealer's application for permission to affix revenue tax meter imprints to original packages of cigarettes, the director shall require such dealer to file a suitable bond payable to the state of Kansas executed by a corporate surety authorized to do business in Kansas. The director may, to assure the proper collection of taxes imposed by the act, revoke or suspend the privilege of imprinting tax meter imprints upon original packages of cigarettes. All meters shall be under the direct control of the director, and all transfer assignments or anything pertaining thereto must first be authorized by the director. All inks used in the stamping of cigarettes must be of a special type devised for use in connection with the machine employed and approved by the director. All repairs to the meter are strictly prohibited except by a duly authorized representative of the director. Requests for service shall be directed to the director. Meter machine ink imprints on all packages shall be clear and legible. If a wholesale dealer continuously issues illegible cigarette tax meter imprints, it shall be considered sufficient cause for revocation of such dealer's permit to use a cigarette tax meter.

A licensed wholesale dealer may, for the purpose of sale in another state, transport cigarettes not bearing Kansas indicia of tax payment through the state of Kansas provided such cigarettes are contained in sealed and original cartons.

Sec. 16. K.S.A. 79-3312 is hereby amended to read as follows: 79-3312. The director shall redeem any unused stamps or meter imprints that any wholesale dealer presents for redemption within six months after the purchase thereof, at the face value less ~~90% on and after July 1, 2002, and before January 1, 2003, and 80% thereafter~~ 0.55% thereof if such stamps or meter imprints have been purchased from the director. The director shall prepare a voucher showing the net amount of such refund due, and the director of accounts and reports shall draw a warrant on the state treasurer for the same. Wholesale dealers shall be entitled to a refund of the tax paid on cigarettes which have become unfit for sale upon proof thereof less ~~90% on and after July 1, 2002, and before January 1, 2003, and 80% thereafter~~ 0.55% of such tax.

Sec. 17. K.S.A. 2014 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the

transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the ~~twelfth~~ 12<sup>th</sup> grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North Central Association of Colleges and Schools, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages, candy, dietary supplements, food

sold through vending machines, prepared food, soft drinks or tobacco.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible

personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination

acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same

meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller's cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(D) delivery charges; and

(E) installation charges.

(2) "Sales or selling price" includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is



authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and

(E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 2014 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.



(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration.

(iii) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(jjj) (1) "Prepared food" means any of the following:

(A) Food sold in a heated state or heated by the seller;

(B) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(C) food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

(2) "Prepared food" does not include:

(A) Food that is only cut, repackaged or pasteurized by the seller;

(B) eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the United States food and drug administration, in chapter 3, part 401.11 of its food code, so as to prevent foodborne illnesses;

(C) if sold without eating utensils provided by the seller, bakery items, including breads, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(D) food sold by a seller whose primary North American industry classification system, United States, 2002 edition, classification is manufacturing in sector 311, except subsector 3118.

(III) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products: soy, rice or similar milk substitutes; or greater than 50% of vegetable or fruit juice by volume.

(mmm) "Dietary supplement" shall have the same meaning ascribed to it as in K.S.A. 79-3606(jjj), and amendments thereto.

Sec. 18. K.S.A. 2014 Supp. 79-3603, as amended by section 20, of 2015 Senate Substitute for House Bill No. 2155, is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of ~~6-15%~~ 6.65%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2014 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel,

drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing

services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the

regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically

transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; ~~and~~

(w) all sales of charitable raffle tickets in accordance with section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; ~~and~~

(x) commencing January 1, 2016, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 5.90%.

Sec. 19. K.S.A. 2014 Supp. 79-3620 is hereby amended to read as follows: 79-3620 (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) ~~The state treasurer shall credit  $\frac{5}{98}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(2) The state treasurer shall credit  $\frac{5}{106}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(3) On July 1, 2006, the state treasurer shall credit  $\frac{19}{265}$  of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(4) On July 1, 2007, the state treasurer shall credit  $\frac{13}{106}$  of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue



collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(6)(2)~~ On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(7)(3)~~ On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(8)(4)~~ On July 1, 2013, ~~and thereafter~~, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) (A) On July 1, 2015, the state treasurer shall credit 15.986% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.65%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(B) On January 1, 2016, the state treasurer shall credit 15.986% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.65% and 5.9%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, and thereafter, the state treasurer shall credit 16.022% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.65% and 5.9%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under ~~subsection (d)~~ of K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by ~~subsection (e)~~ of K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund



pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to ~~subsection (c)~~ of K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by ~~subsection (oo)~~ of K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191<sup>st</sup> Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183<sup>rd</sup> Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 20. K.S.A. 2014 Supp. 79-3695 is hereby amended to read as follows: 79-3695. If any contractor has entered into a written binding contract prior to May 1, ~~2010~~ 2015, for the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a building, facility or residential structure, or for the construction, reconstruction, restoration, replacement or repair of a bridge or highway, the state sales tax applicable to such contracts shall be remitted at the rate in effect prior to the state sales tax increase scheduled to take effect on July 1, ~~2010~~ 2015, if the contractor gives notice and proof of such contract to the director of taxation on or before July 10, ~~2010~~ 2015, which notice and proof shall be in such form and of such sufficiency as the director shall prescribe.

Sec. 21. K.S.A. 2014 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of ~~6.15%~~ 6.65%, except that commencing January 1, 2016, such rate shall be 5.9% on food and food ingredients as defined by K.S.A. 79-3602, and amendments thereto. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 22. K.S.A. 2014 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

~~(c) (1) The state treasurer shall credit  $\frac{5}{98}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(2) The state treasurer shall credit  $\frac{5}{106}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(3) On July 1, 2006, the state treasurer shall credit  $\frac{19}{265}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(4) On July 1, 2007, the state treasurer shall credit  $\frac{13}{106}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(6)(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(7)(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(8)(4) On July 1, 2013, and thereafter, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(5) (A) On July 1, 2015, the state treasurer shall credit 15.986% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments

thereto, at the rate of 6.65%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(B) On January 1, 2016, the state treasurer shall credit 15.986% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.65% and 5.9%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, and thereafter, the state treasurer shall credit 16.022% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.65% and 5.9%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by ~~subsection (d) of~~ K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under ~~subsection (d) of~~ K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in ~~subsection (z) of~~ K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by ~~subsection (e) of~~ K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to ~~subsection (e) of~~ K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by ~~subsection (oo) of~~ K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191<sup>st</sup> Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183<sup>rd</sup> Street

as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 23. K.S.A. 79-5108 is hereby amended to read as follows: 79-5108. (a) The secretary of revenue shall provide county officials of the several counties with copies of manuals for the taxation of motor vehicles together with such other information and forms as may be necessary for the administration of the provisions of this act. The county officials of the several counties shall provide the secretary of revenue with such information as may be deemed necessary by the secretary for the proper administration of the provisions of this act.

(b) The amount of the tax levied upon each motor vehicle under the provisions of this act together with the taxable value computed under the provisions of K.S.A. 79-5105, and amendments thereto, for the purpose of computing such tax and such other information as the secretary of revenue shall determine to be necessary for the administration of this act shall be included upon the owner's motor vehicle registration application for such motor vehicle. If the taxable value of such vehicle is computed by the department of revenue, such department shall compute the tax and list the same upon such registration application. If the motor vehicle is classified by the county appraiser under the provisions of K.S.A. 79-5102 or 79-5103, and amendments thereto, the county appraiser shall determine the taxable value of such motor vehicle and compute the tax and list the same upon such registration application in the space provided for such purpose. The application shall also provide for the addition or inclusion of information by the taxpayer which is necessary for the determination of the tax situs of the motor vehicle.

(c) A copy of the motor vehicle registration application for an owner of a vehicle subject to registration under the provisions of K.S.A. 8-126 et seq., and amendments thereto, and subject to the tax imposed upon a motor vehicle pursuant to K.S.A. 79-5101 et seq., and amendments thereto, including all information required by such provisions to enable the owner to register the vehicle by completing the registration application and to pay the tax by return mail, shall be mailed by the department of revenue to the address of the owner as shown by the records of the department no later than 45 days before the owner's registration and motor vehicle tax is due.

(d) The county treasurer shall at least once each week file with the county clerk that portion of all motor vehicle registration applications received in the treasurer's office showing the tax situs and other information relating to the taxation thereof under the provisions of this act. The county clerk shall at least 30 working days prior to the date upon which the county treasurer makes the current tax distribution and by December 15 for any tax distribution to be made in the month of December submit to the county treasurer a motor vehicle tax distribution abstract showing the total taxes collected under the provisions of this act to be distributed to the state and each taxing subdivision in the county ~~(including the county as a taxing subdivision)~~);

And by renumbering sections accordingly;

Also on page 51, in line 3, after "K.S.A." by inserting "79-5108 and K.S.A."; in line 4, by striking "and" and inserting ", 79-32,110, 79-32,117, 79-32,120, 79-32,265,"; also in line 4, following "79-32,267" by inserting ", 79-32,269, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for

House Bill No. 2155, 79-3620, 79-3695, 79-3703 and 79-3710";

On page 1, in the title, in line 3, before "credits" by inserting "rates, itemized deductions, subtraction modifications,"; in line 5, following the last semicolon, by inserting "sales and compensating use tax, rates, distribution thereof, food; taxation of cigarettes; motor vehicle taxation;" in line 6, after "K.S.A." by inserting "79-5108 and K.S.A."; in line 8, by striking the first "and" and inserting ", 79-32,110, 79-32,117, 79-32,120, 79-32,265,"; also in line 8, following "79-32,267" by inserting ", 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3620, 79-3695, 79-3703 and 79-3710"; in line 9, before the period, by inserting "; also repealing K.S.A. 2014 Supp. 79-32,269";

And your committee on conference recommends the adoption of this report.

MARVIN KLEEB

GENE SUELLENTROP

*Conferees on part of House*

LES DONOVAN

CARYN TYSON

*Conferees on part of Senate*

On motion of Rep. Kleeb to adopt the conference committee report on **H Sub for SB 270**, the motion did not prevail.

On roll call, the vote was: Yeas 3; Nays 108; Present but not voting: 0; Absent or not voting: 14.

Yeas: Huebert, Kleeb, Suellentrop.

Nays: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hoffman, Houser, Hutchins, Hutton, Johnson, D. Jones, Kelley, Kelly, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Pauls, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Carlin, Claey's, DeGraaf, Hineman, Houston, Jennings, K. Jones, Kahrs, Kiegerl, Patton, Peck, Sloan.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: We vote NO on **H Sub for SB 270**. Today our body contemplates finding a solution that successfully addresses our current financial deficit. The solution must provide a firm, reliable and sustainable foundation for our state's future. Despite members of this body looking critically at our spending and finding significant savings by doing so, we are in the undesirable position of considering revenue enhancements to fill the deficit. In consideration of such, we believe it is necessary to take a balanced, all

hands on deck approach. We will support an approach that does not rely on one revenue stream alone, but one in which all Kansans contribute. – DANIEL R. HAWKINS, STEPHEN ALFORD, RONALD W. RYCKMAN, SR., BUD ESTES, TROY L. WAYMASTER, MARK HUTTON, STEVEN JOHNSON, WILL CARPENTER, JIM KELLY, LESLIE OSTERMAN, KYLE D. HOFFMAN, JOHN L. EWY, SUE BOLDRA, SUSAN CONCANNON, ERIN DAVIS, SHARON SCHWARTZ, MARIO GOICO, RICK BILLINGER, JACK THIMESCH, CHARLES E. SMITH, JOE SEIWERT, STEVEN ANTHIMIDES, LARRY L. CAMPBELL, KENT L. THOMPSON, JOHN E. BARKER, RICHARD J. PROEHL, DON L. SCHROEDER, RONALD L. HIGHLAND

MR. SPEAKER: I vote no on **H Sub for SB 270**. As a result of the 2012 tax plan, over 330,000 businesses in Kansas are not paying taxes. I vote no on the bill because it recaptures only a small portion of the lost revenue in the form of guaranteed payments. It is fundamentally unfair to ask individual Kansans to pay more in taxes while most Kansas businesses will continue to pay nothing in taxes. – TOM SAWYER

### INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Barker moved that the House reconsider its adverse action in not adopting the conference committee report on **H Sub for SB 270**. The motion prevailed.

The question reverted back to the motion of Rep. Kleeb to adopt the conference committee report. Rep. Sawyer offered a substitute motion to not adopt the conference committee report on **H Sub for SB 270** and that a new conference committee be appointed. The motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as third conferees on the part of the House.

### REPORT ON ENROLLED BILLS

**HB 2005** reported correctly enrolled, properly signed and presented to the Governor on June 4, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, June 5, 2015.

# Journal of the House

## EIGHTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, June 5, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 107 members present.

Reps. Bollier, Bridges, Bruchman, Campbell, Carlin, Claeys, DeGraaf, Garber, Hedke, Highland, Houston, K. Jones, Kahrs, Patton, Rhoades, Sloan, Whipple and Winn were excused on excused absence by the Speaker.

Rep. Suellentrop was excused on legislative business later in the morning session.

Present later: Bruchman, Campbell, Rhoades and Winn.

Rep. Carlin was present for the afternoon session only.

Prayer by Chaplain Brubaker:

Almighty God,  
This is the day You have given us,  
we thank you and ask that Your presence be with us.  
Teddy Roosevelt once said,  
“In any moment of decision,  
the best thing is to do the right thing.  
The next best thing is to do the wrong thing.  
The worse thing to do is nothing.”  
Lord, I believe we have come to a point  
where it might not be right vs. wrong,  
but right vs. right.  
We all want what is best for Kansas,  
we just have different ways to achieve it.  
So to help us today, we heed Your Word from Jeremiah:  
“Call to me and I will answer you.  
I’ll tell you marvelous and wondrous things  
that you could never figure out on your own.”  
As the writer of Hebrews suggest,  
I boldly come before Your throne of grace with confidence,  
asking that our leaders receive your mercy  
and find grace to help them in their time of need.  
In Christ’s Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Proehl.

### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **H Sub for SB 270** and has appointed Senators Donovan, Tyson and Holland as third conferees on the part of the Senate.

### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2048, S Sub for HB 2177**.

### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **S Sub for HB 2177**.

Speaker pro tem Mast thereupon appointed Reps. KleeB, Suellentrop and Sawyer as second conferees on the part of the House.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2048** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 34;

By striking pages 2 and 3;

On page 4, by striking all in lines 1 through 33; following line 33 by inserting:

"New Section 1. (a) The attorney general is hereby given jurisdiction and authority over all matters involving the implementation, administration and enforcement of the provisions of the scrap metal theft reduction act including to:

(1) Employ or appoint agents as necessary to implement, administer and enforce the act;

(2) contract;

(3) expend funds;

(4) license and discipline;

(5) investigate;

(6) issue subpoenas;

(7) keep statistics; and

(8) conduct education and outreach programs to promote compliance with the act.

(b) In accordance with the rules and regulations filing act, the attorney general is hereby authorized to adopt rules and regulations necessary to implement the provisions of the scrap metal theft reduction act.

(c) There is hereby established in the state treasury the scrap metal theft reduction fee fund to be administered by the attorney general. All moneys received by the attorney general from fees, charges or penalties collected under the provisions of the scrap metal theft reduction act shall be remitted to the state treasurer in accordance with the



provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount thereof in the state treasury to the credit of the scrap metal theft reduction fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or the attorney general's designee. All moneys credited to the scrap metal theft reduction fee fund shall be expended for the administration of the duties, functions and operating expenses incurred under the provisions of the scrap metal theft reduction act.

(d) Before July 1, 2016, the attorney general shall establish and maintain a database which shall be a central repository for the information required to be provided under K.S.A. 2014 Supp. 50-6,110, and amendments thereto. The database shall be maintained for the purpose of providing information to law enforcement and for any other purpose deemed necessary by the attorney general to implement and enforce the provisions of the scrap metal theft reduction act.

(e) The information required by K.S.A. 2014 Supp. 50-6,110, and amendments thereto, maintained in such database by the attorney general, or by any entity contracting with the attorney general, submitted to, maintained or stored as part of the system shall:

(1) Be confidential, shall only be used for investigatory, evidentiary or analysis purposes related to criminal violations of city, state or federal law and shall only be released to law enforcement in response to an official investigation or as permitted in subsection (d); and

(2) not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2020, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

New Sec. 2. (a) If, by the attorney general's own inquiries or as a result of complaints, the attorney general has reason to believe that a person has engaged in, is engaging in or is about to engage in an act or practice that violates the scrap metal theft reduction act, the attorney general, or any deputy attorney general or assistant attorney general may administer oaths and affirmations, subpoena witnesses or matter and collect evidence.

(b) If the matter that the attorney general subpoenas is located outside this state, the person subpoenaed may either make it available to the attorney general at a convenient location within the state or pay the reasonable and necessary expenses for the attorney general or the attorney general's designee to examine the matter at the place where it is located. The attorney general may designate representatives, including officials of the state in which the matter is located, to inspect the matter on the attorney general's behalf, and the attorney general may respond to similar requests from officials of other states.

(c) Service by the attorney general of any notice requiring a person to file a statement or report, or of a subpoena upon any person, shall be made by:

(1) The mailing thereof by certified mail to the last known place of business, residence or abode within or without this state; or

(2) in the manner provided in the code of civil procedure as if a petition had been filed.

(d) The attorney general may request that an individual who refuses to comply with

a subpoena, on the ground that the testimony or matter may incriminate the individual, be ordered by the court to provide the testimony or matter. Except in a prosecution for perjury, an individual who complies with a court order to provide testimony or matter after asserting a privilege against self-incrimination to which the individual is entitled by law, may not be subjected to a criminal proceeding or to a civil penalty to the transaction concerning which the individual is required to testify or produce relevant matter.

(e) If any person willfully fails or refuses to file any statement or report required by the scrap metal theft reduction act, or obey any subpoena issued by the attorney general, the attorney general may, after notice, apply to the district court and, after a hearing thereon, the district court may issue an order:

(1) Granting injunctive relief restraining the sale or advertisement of any services or merchandise by such persons;

(2) vacating, annulling or suspending the corporate charter of a corporation created by or under the laws of this state or revoking or suspending the certificate of authority to do business in this state of a foreign corporation or revoking or suspending any other licenses, permits or certificates issued pursuant to law to the person, which are used to further the allegedly unlawful practice; or

(3) granting such other relief as may be required, until the person files the statement or report, or obeys the subpoena.

New Sec. 3. (a) Any scrap metal dealer who violates any of the provisions of the scrap metal theft reduction act, in addition to any other penalty provided by law, may incur a civil penalty imposed pursuant to subsection (b) in an amount not less than \$100 nor more than \$5,000 for each violation.

(b) The attorney general, upon a finding that a scrap metal dealer or any employee or agent thereof or any person or entity required to be registered as a scrap metal dealer has violated any of the provisions of the scrap metal theft reduction act may impose a civil penalty as provided in this subsection upon such scrap metal dealer.

(c) A civil penalty shall not be imposed pursuant to this section except upon the written order of the attorney general to the scrap metal dealer who is responsible for the violation. Such order is a final order for purposes of judicial review and shall state the violation, the penalty to be imposed and the right of such dealer to appeal as provided in the Kansas judicial review act.

(d) This section shall take effect on and after January 1, 2016.

New Sec. 4. (a) The attorney general may bring a civil action to:

(1) Obtain a declaratory judgment that an act or practice violates the scrap metal theft reduction act;

(2) enjoin, or to obtain a restraining order against any person who has violated, is violating, or is otherwise likely to violate the scrap metal theft reduction act;

(3) recover reasonable expenses and investigation fees; or

(4) impose any civil penalty authorized by the scrap metal theft reduction act.

(b) In lieu of investigating or continuing an action or proceeding, the attorney general may accept a consent judgment with respect to any act or practice declared to be a violation of the scrap metal theft reduction act. Before any consent judgment entered into pursuant to this section shall be effective, it must be approved by the district court and an entry made thereof in the manner required for making an entry of judgment. Once such approval is received, any breach of the conditions of such consent judgment

shall be treated as a violation of a court order, and shall be subject to all the penalties provided by law.

(c) In any action brought by the attorney general, the court may, without requiring bond of the attorney general:

(1) Make such orders or judgments as may be necessary to prevent the use or employment by a person of any practice declared to be a violation of the scrap metal theft reduction act;

(2) issue a temporary restraining order or enjoin any person from violating the scrap metal theft reduction act;

(3) award reasonable expenses and investigation fees, civil penalties and costs; and

(4) grant other appropriate relief.

(d) The commission of any act or practice declared to be a violation of the scrap metal theft reduction act shall render the violator liable to the state for the payment of a civil penalty, recoverable in an action brought by the attorney general, in a sum of not more than \$5,000 for each violation.

(e) Any person who willfully violates the terms of any court order issued pursuant to the scrap metal theft reduction act shall forfeit and pay a civil penalty of not more than \$10,000 per violation, in addition to other penalties that may be imposed by the court, as the court shall deem necessary and proper. For the purposes of this section, the district court issuing an order shall retain jurisdiction, and in such cases, the attorney general, acting in the name of the state may petition for recovery of civil penalties.

(f) Any act or practice declared to be a violation of the scrap metal theft reduction act which is continuing in nature shall be deemed a separate violation each day such act or practice exists.

(g) This section shall take effect on and after January 1, 2016.

New Sec. 5. (a) Any person, whether or not a resident or citizen of this state, who in person or through an agent or an instrumentality, engages in business as a scrap metal dealer as defined in the scrap metal theft reduction act, thereby submits the person to the jurisdiction of the courts of this state as to any cause of action arising from such business.

(b) Every administrative or civil action pursuant to the scrap metal theft reduction act shall be brought in the district court of Shawnee county or in any other district where venue is otherwise authorized by law.

New Sec. 6. (a) A municipality shall not enact or enforce any ordinance, resolution or regulation relating to the implementation, administration and enforcement of the provisions of the scrap metal theft reduction act.

(b) Any ordinance, resolution or regulation prohibited by subsection (a) that was adopted prior to July 1, 2015, shall be null and void.

(c) No action shall be commenced or prosecuted against any individual for a violation of any ordinance, resolution or regulation that is prohibited by subsection (a) and which was adopted prior to July 1, 2015, if such violation occurred on or after July 1, 2014.

(d) As used in this section, "municipality" has the same meaning as defined in K.S.A. 75-6102, and amendments thereto.

New Sec. 7. (a) At any preliminary examination pursuant to K.S.A. 22-2902, and amendments thereto, in which the details of each sale or transaction required to be maintained by scrap metal dealers pursuant to K.S.A. 2014 Supp. 50-6,110, and

amendments thereto, are to be introduced as evidence, the business records of such sale or transaction shall be admissible in to evidence in the preliminary examination in the same manner and with the same force and effect as if the individuals who made the record, and the records custodian who keeps the record, had testified in person.

(b) This section shall be part of and supplemental to the Kansas code of criminal procedure.

Sec. 8. K.S.A. 2014 Supp. 21-5804 is hereby amended to read as follows: 21-5804.

(a) In any prosecution under K.S.A. 2014 Supp. 21-5801 through 21-5839, and amendments thereto, the following shall be prima facie evidence of intent to permanently deprive the owner or lessor of property of the possession, use or benefit thereof:

(1) The giving of a false identification or fictitious name, address or place of employment at the time of ~~obtaining~~ buying, selling, leasing, trading, gathering, collecting, soliciting, procuring, receiving, dealing or otherwise obtaining or exerting control over the property;

(2) the failure of a person who leases or rents personal property to return the same within 10 days after the date set forth in the lease or rental agreement for the return of the property, if notice is given to the person renting or leasing the property to return the property within seven days after receipt of the notice, in which case the subsequent return of the property within the seven-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section;

(3) destroying, breaking or opening a lock, chain, key switch, enclosure or other device used to secure the property in order to obtain control over the property;

(4) destruction of or substantially damaging or altering the property so as to make the property unusable or unrecognizable in order to obtain control over the property;

(5) the failure of a person who leases or rents from a commercial renter a motor vehicle under a written agreement that provides for the return of the motor vehicle to a particular place at a particular time, if notice has been given to the person renting or leasing the motor vehicle to return such vehicle within three calendar days from the date of the receipt or refusal of the demand. In addition, if such vehicle has not been returned after demand, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;

(6) the failure of a person who is provided with a use of a vehicle by the owner of the vehicle to return it to the owner pursuant to a written instruction specifying: (A) The time and place to return the vehicle; and (B) that failure to comply may be prosecuted as theft, and such instructions are delivered to the person by the owner at the time the person is provided with possession of the vehicle. In addition, if such vehicle has not been returned pursuant to the specifications in such instructions, the owner may notify the local law enforcement agency of the failure of the person to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;

(7) removing a theft detection device, without authority, from merchandise or disabling such device prior to purchase; or

(8) under the provisions of ~~subsection (a)(5)~~ of K.S.A. 2014 Supp. 21-5801 (a)(5), and amendments thereto, the failure to replace or reattach the nozzle and hose of the

pump used for the dispensing of motor fuels or placing such nozzle and hose on the ground or pavement.

(b) In any prosecution for a misdemeanor under K.S.A. 2014 Supp. 21-5801, and amendments thereto, in which the object of the alleged theft is a book or other material borrowed from a library, it shall be prima facie evidence of intent to permanently deprive the owner of the possession, use or benefit thereof if the defendant failed to return such book or material within 30 days after receiving notice from the library requesting its return, in which case the subsequent return of the book or material within the 30-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section.

(c) In a prosecution for theft as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, and such theft is of services, the existence of any of the connections of meters, alterations or use of unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service, caused by tampering, shall be prima facie evidence of intent to commit theft of services by the person or persons using or receiving the direct benefits from the use of the electricity, natural gas, water, telephone service or cable television service passing through such connections or meters, or using the electricity, natural gas, water, telephone service or cable television service which has not been authorized or measured.

(d) In a prosecution for theft as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, and such theft is of regulated scrap metal as defined in K.S.A. 2014 Supp. 50-6.109, and amendments thereto, either in whole or in part, the failure to give information or the giving of false information to a scrap metal dealer pursuant to the requirements of the scrap metal theft reduction act, the transportation of regulated scrap metal outside the county from where it was obtained, the transportation of regulated scrap metal across state lines or the alteration of any regulated scrap metal prior to any transaction with a scrap metal dealer shall be prima facie evidence of intent to permanently deprive the owner of the regulated scrap metal of the possession, use or benefit thereof.

~~(d)~~(e) As used in this section:

(1) "Notice" means notice in writing and such notice in writing will be presumed to have been given three days following deposit of the notice as registered or certified matter in the United States mail, addressed to such person who has leased or rented the personal property or borrowed the library material at the address as it appears in the information supplied by such person at the time of such leasing, renting or borrowing, or to such person's last known address; and

(2) "tampering" includes, but is not limited to:

(A) Making a connection of any wire, conduit or device, to any service or transmission line owned by a public or municipal utility, or by a cable television service provider;

(B) defacing, puncturing, removing, reversing or altering any meter or any connections, for the purpose of securing unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service;

(C) preventing any such meters from properly measuring or registering;

(D) knowingly taking, receiving, using or converting to such person's own use, or the use of another, any electricity, water or natural gas which has not been measured; or any telephone or cable television service which has not been authorized; or

(E) causing, procuring, permitting, aiding or abetting any person to do any of the preceding acts.

Sec. 9. K.S.A. 2014 Supp. 21-5813 is hereby amended to read as follows: 21-5813.

(a) Criminal damage to property is by means other than by fire or explosive:

(1) Knowingly damaging, destroying, defacing or substantially impairing the use of any property in which another has an interest without the consent of such other person; or

(2) damaging, destroying, defacing or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

(b) Aggravated criminal damage to property is criminal damage to property as defined in subsection (a)(1), if the value or amount of damage exceeds \$5,000, committed with the intent to obtain any regulated scrap metal as defined in K.S.A. 2014 Supp. 50-6,109, and amendments thereto, or any items listed in K.S.A. 2014 Supp. 50-6,111(d), and amendments thereto, upon:

(1) Any building, structure, personal property or place used primarily for worship or any religious purpose;

(2) any building, structure or place used as a school or as an educational facility;

(3) any building, structure or place used by a non-profit or charitable business, corporation, firm, service or association;

(4) any grave, cemetery, mortuary or personal property of the cemetery or mortuary or other facility used for the purpose of burial or memorializing the dead;

(5) any agricultural property or agricultural infrastructure;

(6) any construction, mining or recycling facility, structure or site;

(7) any utility, utility service, telecommunication, telecommunication service, cable or video service facility, property, building, structure, site or component thereof;

(8) any municipal, county or state building, structure, site or property;

(9) any residential, commercial, industrial or agricultural irrigation, sprinkler or watering system or component thereof;

(10) the infrastructure of any residence, building or structure;

(11) any historical marker, plaque or work of art;

(12) any vehicle or transportation building, facility, structure, site or property; or

(13) any other building, structure, residence, facility, site, place, property, vehicle or any infrastructure thereof.

~~(b)~~(c) Criminal damage to property if the property:

(1) Is damaged to the extent of \$25,000 or more is a severity level 7, nonperson felony;

(2) is damaged to the extent of at least \$1,000 but less than \$25,000 is a severity level 9, nonperson felony; and

(3) damaged is of the value of less than \$1,000 or is of the value of \$1,000 or more and is damaged to the extent of less than \$1,000 is a class B nonperson misdemeanor.

(d) Aggravated criminal damage to property is a severity level 6, nonperson felony.

(e) (1) As used in subsection (b):

(A) "Infrastructure" includes any fixture to, attachment upon or part of a residence, building or structure's framework, electrical wiring and appurtenances, plumbing or heating and air systems; and

(B) "site" includes any area, place or location set aside for specific use or uses, including, but not limited to, storage, staging, repair, sorting, transportation, planning or

organization.

(2) Any of the items or locations listed in subsection (b) shall include the curtilage, adjoining land and any improvements thereupon.

(3) Nothing in subsection (b) shall be construed to require the:

(A) Construction or existence of any door, gate, fence, barrier or wall; or

(B) existence of notice, postings or signs to potential trespassers.

(f) In determining the amount of damage to property, damages may include the cost of repair or replacement of the property that was damaged, the reasonable cost of the loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property.

Sec. 10. K.S.A. 2014 Supp. 21-6604 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, 8-2,144 and K.S.A. 2014 Supp. 8-1025, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by ~~subsection (e)~~ of K.S.A. 2014 Supp. 21-6602(c), and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2014 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire



company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2014 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in ~~subsection (i)~~ of K.S.A. 2014 Supp. 21-6804(i), and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program shall serve the total number of hours of confinement mandated by that section;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2014 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. In regard to a violation of K.S.A. 2014 Supp. 21-5801, 21-5807 or 21-5813, and amendments thereto, such damage or loss shall include the cost of repair or replacement of the property that was damaged, the reasonable cost of any loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the



defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 et seq., and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by ~~subsection (d) of~~ K.S.A. 2014 Supp. 21-6602(d), and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed consecutively pursuant to the provisions of K.S.A. 2014 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed during a period of time during which the defendant would have been on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony had the defendant not been granted release by the court pursuant to ~~subsection (d) of~~ K.S.A. 2014 Supp. 21-6608(d), and amendments thereto, or the prisoner review board pursuant to K.S.A. 22-3717, and amendments thereto, the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(3) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2014 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(4) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed consecutively pursuant to the provisions of K.S.A. 2014 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2014 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2014 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendments thereto, or a community intermediate sanction center. Pursuant to this subsection the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or community intermediate sanction center and the defendant meets all of the conservation camp's or community intermediate sanction center's

placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or community intermediate sanction center.

(h) In committing a defendant to the custody of the secretary of corrections, the court shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and such offense does not meet the requirements of K.S.A. 2014 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of

corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2014 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) (1) Except as provided by ~~subsection (f)~~ of K.S.A. 2014 Supp. ~~21-6630~~ and 21-6805~~(f)~~, and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2014 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2014 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2014 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(2) If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the defendant's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to sanction or revocation pursuant to the provisions of K.S.A. 22-3716, and amendments thereto. If the defendant's probation is revoked, the defendant shall serve the underlying prison sentence as established in K.S.A. 2014 Supp. 21-6805, and amendments thereto.

(A) Except as provided in subsection (n)(2)(B), for those offenders who are convicted on or after July 1, 2003, but prior to July 1, 2013, upon completion of the underlying prison sentence, the offender shall not be subject to a period of postrelease supervision.

(B) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation is revoked pursuant to ~~subsection (e)~~ of K.S.A. 22-3716~~(c)~~, and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to ~~subsection (e)(1)(C) or (e)(1)(D)~~ of K.S.A. 22-3716~~(c)(1)(C) or (c)(1)(D)~~, and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2014 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" mean the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2014 Supp. 22-4616, and amendments thereto, the court shall require the defendant to: (1) Undergo a domestic violence offender assessment conducted by a certified batterer intervention program; and (2) follow all recommendations made by such program, unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required

to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2014 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.

(s) Whenever the court has released the defendant on probation pursuant to subsection (a)(3), the defendant's supervising court services officer, with the concurrence of the chief court services officer, may impose the violation sanctions as provided in ~~subsection (e)(1)(B) of K.S.A. 22-3716(c)(1)(B)~~, and amendments thereto, without further order of the court, unless:

- (1) The court has specifically withheld this authority in its sentencing order; or
- (2) the defendant, after being apprised of the right to a revocation hearing before the court pursuant to ~~subsection (b) of K.S.A. 22-3716(b)~~, and amendments thereto, refuses to waive such right.

(t) Whenever the court has assigned the defendant to a community correctional services program pursuant to subsection (a)(4), the defendant's community corrections officer, with the concurrence of the community corrections director, may impose the violation sanctions as provided in ~~subsection (e)(1)(B) of K.S.A. 22-3716(c)(1)(B)~~, and amendments thereto, without further order of the court unless:

- (1) The court has specifically withheld this authority in its sentencing order; or
- (2) the defendant, after being apprised of the right to a revocation hearing before the court pursuant to ~~subsection (b) of K.S.A. 22-3716(b)~~, and amendments thereto, refuses to waive such right.

Sec. 11. K.S.A. 2014 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

SENTENCING RANGE - NONDRUG OFFENSES

Category	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	653 620 595	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	88 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 32 31
VI	46 43 46	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 36	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	25 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	7 6 5

LEGEND
Presumptive Probation
Probation
Presumptive Imprisonment



(b) Sentences expressed in the sentencing guidelines grid for nondrug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

- (A) Prison sentence;
- (B) maximum potential reduction to such sentence as a result of good time; and
- (C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

- (A) Prison sentence; and
- (B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of ~~subsection (d) of K.S.A. 2014 Supp. 21-5412(d)~~, and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (1) The sentence for the violation of the felony provision of K.S.A. 2014 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, ~~subsection (b)(3) of K.S.A. 2014 Supp. 21-5414(b)(3), subsections (b)(3) and (b)(4) of K.S.A. 2014 Supp. 21-5823(b)(3) and (b)(4)~~, K.S.A. 2014 Supp. 21-6412 and K.S.A. 2014 Supp. 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2014 Supp.



21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2014 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2014 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. 2014 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, ~~subsection (b)(3) of K.S.A. 2014 Supp. 21-5414(b)(3), subsections (b)(3) and (b)(4) of K.S.A. 2014 Supp. 21-5823(b)(3) and (b)(4), K.S.A. 2014 Supp. 21-6412 and K.S.A. 2014 Supp. 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of K.S.A. 2014 Supp. 8-1025 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto.~~

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may

impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities:

- (A) The commission of one or more person felonies; or
- (B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and
- (C) its members have a common name or common identifying sign or symbol; and
- (D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of ~~subsection (a)(1) of K.S.A. 2014 Supp. 21-5807(a)(1), and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2014 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of subsection (a) or (b) of K.S.A. 21-3715(a) or (b), prior to its repeal, 21-3716, prior to its repeal, subsection (a)(1) or (a)(2) of K.S.A. 2014 Supp. 21-5807(a)(1) or (a)(2), or subsection (b) of K.S.A. 2014 Supp. 21-5807(b), and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.~~

(m) The sentence for a violation of K.S.A. 22-4903 ~~or subsection (a)(2) of K.S.A. 2014 Supp. 21-5913(a)(2), and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).~~

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2014 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of ~~subsection (b) of K.S.A. 21-3705(b), prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2014 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.~~

(o) The sentence for a felony violation of theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary as defined in ~~subsection (a) of K.S.A. 2014 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2014 Supp. 21-5807(a), and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, when such~~

person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of ~~subsection (f)(1)~~ of K.S.A. 2014 Supp. 21-6824(f)(1), and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the

secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

(2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

(3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of ~~subsection (c)(2)~~ of K.S.A. 2014 Supp. 21-5413(c)(2), and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2014 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2014 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2014 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2014 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(v) The sentence for a third or subsequent violation of K.S.A. 8-1568, and amendments thereto, shall be presumptive imprisonment and shall be served

consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(w) The sentence for aggravated criminal damage to property as defined in K.S.A. 2014 Supp. 21-5813(b), and amendments thereto, when such person being sentenced has a prior conviction for any nonperson felony shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

Sec. 12. K.S.A. 2014 Supp. 50-6,109 is hereby amended to read as follows: 50-6,109. (a) As used in K.S.A. 2014 Supp. 50-6,112a through 50-6,112e, and amendments thereto, and K.S.A. 2014 Supp. 50-6,109 through 50-6,112 50-6,112c, section 1, section 2, section 3, section 4, section 5 and section 6, and amendments thereto, shall be known and may be cited as the scrap metal theft reduction act.

(b) As used in the scrap metal theft reduction act:

(a) (1) "Scrap metal dealer" means any person individual, firm, company, partnership, association or corporation that operates a business out of a fixed location, and that is also either:

(1) Engaged in the business of buying and dealing in regulated scrap metal;

(2) purchasing, gathering, collecting, soliciting or procuring regulated scrap metal;  
or

(3) operating, carrying on, conducting or maintaining a regulated scrap metal yard or place where regulated scrap metal is gathered together and stored or kept for shipment, sale or transfer that is engaged in the business of buying, trading or dealing in regulated scrap metal for the purpose of sale for recycling.

(b) "Regulated scrap metal yard" means any yard, plot, space, enclosure, building or any other place where regulated scrap metal is collected, gathered together and stored or kept for shipment, sale or transfer.

(c) (2) "Regulated scrap metal" shall mean wire, cable, bars, ingots, wire scraps, pieces, pellets, clamps, aircraft parts, junk vehicles, vehicle parts, pipes or connectors made from aluminum; catalytic converters containing platinum, palladium or rhodium; and copper, titanium, tungsten, stainless steel and nickel in any form; for which the purchase price described in K.S.A. 2014 Supp. 50-6,110 and 50-6,111, and amendments thereto, was primarily based on the content therein of aluminum, copper, titanium, tungsten, nickel, platinum, palladium, stainless steel or rhodium; any item composed in whole or in part of any nonferrous metal other than an item composed of tin, that is purchased or otherwise acquired for the purpose of recycling or storage for later recycling. Aluminum shall not include food or beverage containers means any item, in any form, for which the purchase price described in K.S.A. 2014 Supp. 50-6,110 and 50-6,111, and amendments thereto, was primarily based on the content of:

(A) Aluminum, except that aluminum shall not include food or beverage containers:

(B) copper;

(C) brass;

(D) bronze;

(E) stainless steel;

(F) zinc;

(G) titanium;

(H) tungsten;

(I) nickel;

(J) platinum;

(K) palladium;

(L) rhodium;

(M) magnesium;

(N) lead;

(O) any other nonferrous metal; or

(P) any combination of nonferrous metals listed in subsections (b)(2)(A) through (b)(2)(P).

~~(d)~~<sup>(3)</sup> "Bales of regulated metal" means regulated scrap metal property processed with professional recycling equipment by compression, shearing or shredding, to a form in which it may be sold by a scrap metal dealer consistent with industry standards.

~~(e)~~ "Ferrous metal" means a metal that contains iron or steel.

~~(f)~~<sup>(4)</sup> "Junk vehicle" means a vehicle as defined in K.S.A. 8-126, and amendments thereto, not requiring a title as provided in chapter 8 of the Kansas Statutes Annotated, and amendments thereto, an aircraft; or a boat; farming implement, industrial equipment, trailer or any other conveyance used on the highways and roadways, which has no use or resale value except as scrap which is being sold for scrap value.

~~(g)~~<sup>(5)</sup> "Nonferrous metal" means a metal that does not contain iron or steel; ~~including but not limited to: Copper, brass, aluminum, bronze, lead, zinc, nickel and their alloys.~~

~~(h)~~ "Tin" means a metal consisting predominantly of light sheet metal ferrous scrap, including large and small household appliances, construction siding and construction roofing.

~~(i)~~<sup>(6)</sup> "Vehicle part" means the front clip consisting of the two front fenders, hood, grill and front bumper of an automobile assembled as one unit; or the rear clip consisting of those body parts behind the rear edge of the back doors, including both rear quarter panels, the rear window, trunk lid, trunk floor panel and rear bumper, assembled as one unit; ~~or any other vehicle part.~~

~~(j)~~<sup>(7)</sup> "Person" means any individual, scrap metal dealer, manager or employee, owner, operator, corporation, partnership or association.

~~(k)~~<sup>(8)</sup> "Attorney general" means the attorney general of the state of Kansas or the attorney general's designee.

Sec. 13. K.S.A. 2014 Supp. 50-6,110 is hereby amended to read as follows: 50-6,110. (a) ~~Except as provided in subsection (d),~~ It shall be unlawful for any person to sell any item or items of regulated scrap metal to a scrap metal dealer, or employee or agent of a dealer, in this state unless such person meets the requirements of this subsection.

~~(1)~~ Such person shall present ~~presents present~~ to such scrap metal dealer, or employee or agent of such dealer, at or before the time of sale, the following ~~information~~: The seller's name, address, sex, date of birth and ~~the identifying number from~~ the seller's driver's license, military identification card, passport or personal identification license. ~~The identifying number from~~ An official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller.

~~(2)~~ Such person shall complete and sign the statement provided for in subsection (b)(10).

(b) Every scrap metal dealer shall keep a register in which the dealer, or employee

or agent of the dealer, shall at the time of purchase or receipt of any item for which such information is required to be presented, cross-reference to previously received information, or accurately and legibly record at the time of sale the following information:

- (1) The time, date and place of transaction;
  - (2) the seller's name, address, sex, date of birth and the identifying number from the seller's driver's license, military identification card, passport or personal identification license; the identifying number from an official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller;
  - (3) a copy of the identification card or document containing such identifying number;
  - (4) the license number, color and style or make of any motor vehicle in which the junk vehicle or other regulated scrap metal property is delivered in a purchase transaction;
  - (5) a general description, made in accordance with the custom of the trade, of the predominant types of junk vehicle or other regulated scrap metal property purchased in the transaction;
  - (6) the weight, quantity or volume, made in accordance with the custom of the trade, of the regulated scrap metal property purchased;
  - (7) if a junk vehicle or vehicle part is being bought or sold, a description of the junk vehicle or vehicle part, including the make, model, color, vehicle identification number and serial number if applicable;
  - (8) ~~the amount of consideration given in a purchase price paid for, traded for or dealt for in a transaction for the junk vehicle or other regulated scrap metal property; and~~
  - (9) ~~the full name of the individual acting on behalf of the regulated scrap metal dealer in making the purchase; and~~
  - (10) ~~a signed statement from the seller indicating from where the property was obtained and that: (A) Each item is the seller's own personal property, is free of encumbrances and is not stolen; or (B) the seller is acting for the owner and has permission to sell each item. If the seller is not the owner, such statement shall include the name and address of the owner of the property.~~
- ~~(c) Every scrap metal dealer shall photograph both the seller and the item or lot of items being sold at the time of purchase or receipt of any item for which such information is required to be presented. Such photographs shall be kept with the record of the transaction and the scrap metal dealer's register of information required by subsection (b).~~
- ~~(d) The scrap metal dealer's register of information required by subsection (b), including copies of identification cards and signed statements by sellers, and photographs required by subsection (c) may be kept in electronic format.~~
- ~~(e) Every scrap metal dealer shall forward the information required by this section to the database described in section 1, and amendments thereto.~~
- ~~(d) Notwithstanding the foregoing, this section shall not apply to:~~
- ~~(1) Transactions involving regulated scrap metal, except for catalytic converters, for which the total sale price for all regulated scrap metal is \$50.00 or less;~~
  - ~~(2) transactions involving only catalytic converters for which the total sale price is~~



~~\$30.00 or less;~~

~~(3) transactions in which the seller is also a scrap metal dealer; or  
(4) transactions for which the seller is known to the purchasing scrap metal dealer to be an established business that operates out of a fixed business location and that can reasonably be expected to generate regulated scrap metal.~~

~~(e) The exceptions contained in subsections (d)(1) and (d)(2) shall not apply to any purchase from any seller of the following materials:~~

- ~~(1) Catalytic converters purchased separate from a vehicle;~~
- ~~(2) coated or insulated wire or stripped wire or burnt wire;~~
- ~~(3) refrigeration condensing units or air conditioning coils of any type; or~~
- ~~(4) copper tubing, bars, plate, buss bar and sheet copper.~~

~~(f) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to pay for any of the items described in subsections (e)(1) through (4) by any means other than:~~

~~(1) A prenumbered check drawn on a regular bank account in the name of the scrap metal dealer and with such check made payable to the person documented as the seller in accordance with subsection (b); or~~

~~(2) a system for automated cash or electronic payment distribution which photographs or videotapes the payment recipient and identifies the payment with a distinct transaction in the register maintained in accordance with subsection (b).~~

~~(f) Notwithstanding any other provision to the contrary, this section shall not apply to transactions in which the seller is a:~~

- ~~(1) Registered scrap metal dealer;~~
- ~~(2) vehicle dealer licensed under chapter 8 of the Kansas Statutes Annotated, and amendments thereto; or~~
- ~~(3) scrap metal dealer or vehicle dealer registered or licensed in another state.~~

~~(g) (1) Except as provided in subsection (g)(2), this section shall not apply to transactions in which the seller is known to the purchasing scrap metal dealer to be a licensed business that operates out of a fixed business location and that can reasonably be expected to generate regulated scrap metal.~~

~~(2) The attorney general may determine, by rules and regulations, which of the requirements of this section shall apply to transactions described in subsection (g)(1).~~

Sec. 14. K.S.A. 2014 Supp. 50-6,111 is hereby amended to read as follows: 50-6,111. (a) It shall be unlawful for any such scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2014 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without demanding and receiving from the seller that information. Every scrap metal dealer shall file and maintain a record of information obtained in compliance with the requirements in K.S.A. 2014 Supp. 50-6,110, and amendments thereto. All records kept in accordance with the provisions of this the scrap metal theft reduction act shall be open at all times to peace or law enforcement officers and shall be kept for two years. If the required information is maintained in electronic format, the scrap metal dealer shall provide a printout of the information to peace or law enforcement officers upon request.

~~(b) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2014 Supp. 50-6,110, and amendments thereto, requires information to be~~



~~presented by the seller, without obtaining from the seller a signed statement that: (1) Each item is the seller's own personal property, is free of encumbrances and is not stolen; or (2) that the seller is acting for the owner and has permission to sell each item.~~

~~(e)-(b)~~ It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any junk vehicle in a transaction for which K.S.A. 2014 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without:

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

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

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

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

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

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

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

~~(f)-(e)~~ It shall be unlawful for any scrap metal dealer, or employee or agent of the

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

Sec. 15. K.S.A. 2014 Supp. 50-6,112a is hereby amended to read as follows: 50-6,112a. (a) ~~No business shall~~ A scrap metal dealer shall not purchase any regulated scrap metal without having first registered each place of business with the attorney general as herein provided. ~~In case such place of business is located within the corporate limits of a city, the registration shall be made to the governing body of such city. In all other cases, the registration shall be made to the board of county commissioners in the county in which such place of business is to be located.~~

(b) ~~A board of county commissioners shall provide the clerk of the township with written notice of the filing of a registration by a scrap metal dealer within 10 days of registration or renewal.~~

(c) ~~The governing body of any city and the board of county commissioners shall provide the sheriff, chief of police or director of all law enforcement agencies in the county written notice of the filing of registration by a scrap metal dealer within 10 days of registration or renewal.~~

(b) The attorney general shall establish a system for the public to confirm scrap metal dealer registration certificates. Such system shall include a listing of valid registration certificates and such other information collected pursuant to the scrap metal theft reduction act, as the attorney general may determine is appropriate. Disclosure of any information through use of the system established by the attorney general shall not be deemed to be an endorsement of any scrap metal dealer or determination of any facts, qualifications, information or reputation of any scrap metal dealer by the attorney general, the state, or any of their respective agents, officers, employees or assigns.

(d) ~~(c)~~ A registration for a scrap metal dealer shall be verified and upon a form approved by the attorney general and contain:

(1) ~~(A)~~ The name and residence of the applicant, including all previous names and aliases; or

(B) if the applicant is a Corporation, the name and address of each manager, officer or director thereof, and each stockholder owning in the aggregate more than 25% of the stock of such corporation; or partnership or limited liability company, the name and address of each partner or member;

(2) the length of time that the applicant has resided within the state of Kansas and a list of all residences outside the state of Kansas during the previous 10 years;

(3) the particular place of business for which a registration is desired, the name of the business, the address where the business is to be conducted, the hours of operation and the days of the week during which the applicant proposes to engage in business;

(4) the name of the owner of the premises upon which the place of business is located; and

(5) the applicant shall disclose any prior convictions within 10 years immediately preceding the date of making the registration for: ~~Theft, as defined in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto, theft of property lost, mislaid or delivered by mistake, as defined in K.S.A. 21-3703, prior to its~~

~~repeal, or K.S.A. 2014 Supp. 21-5802, and amendments thereto; theft of services, as defined in K.S.A. 21-3704, prior to its repeal; criminal deprivation of property, as defined in K.S.A. 21-3705, prior to its repeal, or K.S.A. 2014 Supp. 21-5803, and amendments thereto; or any other crime involving possession of stolen property A violation of article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2014 Supp. 21-5801 through 21-5839 or K.S.A. 2014 Supp. 21-6412(a)(6), and amendments thereto; perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2014 Supp. 21-5903, and amendments thereto; compounding a crime, K.S.A. 21-3807, prior to its repeal; obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal; falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2014 Supp. 21-5904, and amendments thereto; interference with judicial process, K.S.A. 2014 Supp. 21-5905, and amendments thereto; or any crime involving dishonesty or false statement or any substantially similar offense pursuant to the laws of any city, state or of the United States.~~

~~(e)~~ (d) Each registration for a scrap metal dealer to purchase regulated scrap metal shall be accompanied by a fee of not less than \$100 nor more than \$400, as prescribed by the board of county commissioners or the governing body of the city, as the case may be \$500 nor more than \$1,500, as prescribed by the attorney general for each particular place of business for which a registration is desired.

~~(f)~~ (e) ~~The board of county commissioners or the governing body of a city~~ attorney general shall accept a registration for a scrap metal dealer as otherwise provided for herein, from any scrap metal dealer ~~engaged in business in such county or city and~~ qualified to file such registration, to purchase regulated scrap metals. Such registration shall be issued for a period of ~~10 years~~ one year.

~~(g)~~ (f) If an original registration is accepted, the ~~governing body of the city or the board of county commissioners~~ attorney general shall grant and issue renewals thereof upon application of the registration holder, if the registration holder is qualified to receive the same and the registration has not been revoked as provided by law. The registration fee for such renewal shall be ~~not less than \$25 nor more than \$50~~ renewal fee shall be not more than \$1,500, as prescribed by the attorney general.

~~(h)~~ (g) ~~No~~ Any registration issued under ~~this~~ the scrap metal theft reduction act shall ~~not~~ be transferable.

~~(i)~~ ~~Violation of subsection (a) is a class A nonperson misdemeanor.~~

~~(j)~~ (h) This section shall not apply to a business licensed under the provisions of K.S.A. 8-2404, and amendments thereto, unless such business buys or recycles regulated scrap metal that are not motor vehicle components.

Sec. 16. On and after January 1, 2016, K.S.A. 2014 Supp. 50-6,112b is hereby amended to read as follows: 50-6,112b. (a) After examining the information contained in a filing for a scrap metal dealer registration and determining the registration meets the statutory requirements for such registration, the ~~governing body of the city or the board of county commissioners~~ attorney general shall accept such filing and the scrap metal dealer shall be deemed to be properly registered.

(b) No scrap metal registration shall be accepted for:

(1) A person who is not a citizen or legal permanent resident of the United States.

(2) A person who is under 18 years of age and whose parents or legal guardians have been convicted of a felony or other crime which would disqualify a person from

registration under this section and such crime was committed during the time that such parents or legal guardians held a registration under ~~this~~ the scrap metal theft reduction act.

~~(2)~~(3) A person who, within ~~five~~ 10 years immediately preceding the date of filing, has pled guilty to, entered into a diversion agreement for, been convicted of, released from incarceration for or released from probation or parole for committing, attempting to commit, or conspiring to commit a violation of; Article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2014 Supp. 21-5801 through 21-5839 ~~and subsection (a)(6) of~~ or K.S.A. 2014 Supp. 21-6412; ~~(a)(6), and amendments thereto;~~ perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2014 Supp. 21-5903, and amendments thereto; compounding a crime, K.S.A. 21-3807, prior to its repeal; ~~obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal;~~ falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2014 Supp. 21-5904, and amendments thereto; interference with judicial process, K.S.A. 2014 Supp. 21-5905, and amendments thereto; or any crime involving ~~moral turpitude dishonesty or false statement or any substantially similar~~ involving pursuant to the laws of any city, state or of the United States.

~~(3)~~ A person who, within the five years immediately preceding the date of registration, has pled guilty to, been found guilty of, or entered a diversion agreement for violating the provisions of K.S.A. 2014 Supp. 50-6,112a, and amendments thereto; K.S.A. 50-6,109 et seq., and amendments thereto, the laws of another state comparable to such provisions or laws of any county or city regulating the sale or purchase of regulated scrap metal ~~three or more times.~~

(4) A person who within the ~~three~~ 10 years immediately preceding the date of registration held a scrap metal dealer registration which was revoked, or managed a facility for a scrap metal dealer whose registration was revoked, or was an employee whose conduct led to or contributed to the revocation of such registration.

(5) A person who makes a materially false statement on the registration application or has made a materially false statement on a registration or similar filing within the last ~~three~~ 10 years.

(6) A partnership or limited liability company, unless all partners or members of the partnership or limited liability company are otherwise qualified to file a registration.

(7) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason.

(8) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses all of the qualifications for registration.

(9) A person whose spouse has been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that the spouse held a registration under ~~this~~ the scrap metal theft reduction act.

(10) A person who does not own the premises upon which the place of business is located for which a license is sought, unless the person has a written lease for at least <sup>3/4</sup> of the period for which the license is to be issued.

(c) Any person filing a scrap metal dealer registration may be subject to a criminal history records check and may be given a written notice that a criminal history records check is required. The attorney general may require such applicant to be fingerprinted

and submit to a state and national criminal history record check. If required, such fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The attorney general shall submit any fingerprints provided to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the attorney general in the taking and processing of fingerprints of applicants. The attorney general may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the applicant and in the official determination of whether the scrap metal dealer registration shall be accepted. If the criminal history record information is used to disqualify an applicant, the applicant shall be informed in writing of that decision.

Sec. 17. On and after January 1, 2016, K.S.A. 2014 Supp. 50-6,112c is hereby amended to read as follows: 50-6,112c. (a) ~~The board of county commissioners or the governing body of any city~~ attorney general, upon five days notice to the persons holding a registration, may suspend the scrap metal dealer's registration for up to 30 days for any one of the following reasons:

(1) ~~The registrant has been convicted of violating~~ found to have violated any of the provisions of ~~K.S.A. 50-6,109 et seq., and amendments thereto~~ the scrap metal theft reduction act, or any similar ordinance, resolution or rules or regulations ~~made by the board or the city, as the case may be;~~

(2) ~~the employment or continuation in employment of a person if the registered scrap metal dealer knows such person has, within the 24 months prior to the notice of suspension or revocation action, been convicted of violating~~ found to have violated any of the provisions of ~~K.S.A. 50-6,109 et seq., and amendments thereto~~ the scrap metal theft reduction act, or the laws of another state comparable to such provisions, or any city or county ordinance or resolution, or regulation controlling scrap metal sale or purchase in Kansas or any other state; or

(3) ~~permitting any criminal activity under the Kansas criminal code, or similar ordinance, resolution or rules or regulations made by the board or city, as the case may be, in or upon the registrant's place of business.~~

~~(b)-(c) The board of county commissioners or the governing body of any city~~ attorney general may revoke the registration of a scrap metal dealer who has had its registration suspended three or more times within a 24-month period.

~~(e)-(d) The board of county commissioners or the governing body of any city~~ attorney general, upon five days' notice to the person holding the registration, shall revoke or suspend the registration for any one of the following reasons:

(1) ~~The registrant has fraudulently registered by knowingly giving materially false information on the registration form;~~

(2) ~~the registrant has become ineligible to obtain a registration under~~ this the scrap metal theft reduction act;

(3) ~~the nonpayment of any registration fees after receiving written notice that such registration fees are more than 30 days past due; or~~

(4) ~~within 20 days after the order of the board denying, revoking or suspending any registration, the registrant may appeal to the district court and the district court shall proceed to hear such appeal as though the court had original jurisdiction of the matter. Upon request by the registrant, the district court may enjoin the revocation or~~

~~suspension of a registration until final disposition of any action brought under this act the nonpayment of any civil penalty after receiving written notice that such penalty is more than 30 days past due.~~

~~(d)-(e) Any action brought under subsections (a), (b) or (e) this section shall be brought individually against a single registrant's site place of business and not against any other scrap metal sites or locations place of business registered by the same individual, company or business entity.~~

~~(f) Any person aggrieved by the decision of the attorney general to suspend or revoke a registration under this section may appeal such decision in accordance with rules and regulations promulgated by the attorney general to implement the scrap metal theft reduction act.~~

Sec. 18. K.S.A. 2014 Supp. 21-5804, 21-5813, 21-6604, 21-6604c, 21-6804, 50-6,109, 50-6,110, 50-6,111, 50-6,112 and 50-6,112a are hereby repealed.

Sec. 19. On and after January 1, 2016, K.S.A. 2014 Supp. 50-6,112b and 50-6,112c are hereby repealed.";

And by renumbering remaining sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "regulated scrap metal; relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund; amending K.S.A. 2014 Supp. 21-5804, 21-5813, 21-6604, 21-6804, 50-6,109, 50-6,110, 50-6,111, 50-6,112a, 50-6,112b and 50-6,112c and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6604c and 50-6,112";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

PAT PETTEY

*Conferees on part of Senate*

JOHN E. BARKER

CHARLES MACHEERS

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Todd, to adopt the conference committee report on **HB 2048**, Rep. Rubin offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

Roll call was demanded.

On roll call, the vote was: Yeas 40; Nays 64; Present but not voting: 0; Absent or not voting: 21.

Yeas: Alford, Ballard, Becker, Bradford, Couture-Lovelady, Clayton, Corbet, Curtis, Esau, Finney, Frownfelter, Grosserode, Henderson, Henry, Highberger, Hildabrand, Houser, Kelley, Kuether, Lusk, Lusker, McPherson, O'Brien, Ousley, Peck, Read, Rubin, Ruiz, Sawyer, Scapa, Smith, Sutton, Thimesch, Tietze, Trimmer, Victors, Ward, Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Anthimides, Barker, Barton, Billinger, Boldra, Burroughs, Carmichael,

B. Carpenter, W. Carpenter, Clark, Concannon, Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Francis, Gallagher, Goico, Gonzalez, Hawkins, Hemsley, Hibbard, Hill, Hineman, Hoffman, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Lane, Lewis, Lunn, Macheers, Mason, Mast, Merrick, Moxley, Osterman, Pauls, Phillips, Powell, Proehl, Rooker, Ryckman, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Swanson, Thompson, Todd, Vickrey, Waymaster, Whitmer.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Bruchman, Brunk, Campbell, Carlin, Claeys, DeGraaf, Garber, Hedke, Highland, Houston, K. Jones, Kahrs, Kiegerl, Patton, Rhoades, Sloan, Suellentrop, Whipple, Winn.

The substitute motion did not prevail.

The question reverted back to the original motion of Rep. Todd and the conference committee report on **HB 2048** was adopted.

On roll call, the vote was: Yeas 73; Nays 32; Present but not voting: 0; Absent or not voting: 20.

Yeas: Alcala, Alford, Anthimides, Barker, Becker, Billinger, Boldra, Bradford, Brunk, Carmichael, B. Carpenter, Clark, Concannon, Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Finney, Francis, Gallagher, Goico, Gonzalez, Hawkins, Hemsley, Henderson, Henry, Hibbard, Hill, Hineman, Hoffman, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kleeb, Kuether, Lane, Lewis, Lunn, Lusker, Macheers, Mason, Mast, Moxley, O'Brien, Osterman, Pauls, Phillips, Powell, Proehl, Rooker, Ryckman, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Swanson, Todd, Vickrey, Victors, Ward, Waymaster, Whitmer, Wilson.

Nays: Ballard, Barton, Burroughs, Couture-Lovelady, W. Carpenter, Clayton, Corbet, Curtis, Esau, Frownfelter, Grosserode, Highberger, Hildabrand, Houser, Kelley, Kiegerl, McPherson, Merrick, Ousley, Peck, Read, Rubin, Ruiz, Scapa, Smith, Sutton, Thimesch, Thompson, Tietze, Trimmer, Williams, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Bruchman, Campbell, Carlin, Claeys, DeGraaf, Garber, Hedke, Highland, Houston, K. Jones, Kahrs, Lusk, Patton, Rhoades, Sloan, Suellentrop, Whipple, Winn.

On motion of Rep. Vickrey, the House recessed until 2:30 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### MESSAGES FROM THE GOVERNOR

**HB 2183, HB 2223, S Sub for HB 2228, HB 2352** approved on June 5, 2015.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 206**.



## INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, **SB 206** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Committee reports to **SB 206** were adopted.

**SB 206**, AN ACT concerning the vision care services act; relating to powers and duties of the commissioner of insurance; powers and duties of the attorney general; amending K.S.A. 2014 Supp. 40-5905 and 40-5906 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 0; Present but not voting: 0; Absent or not voting: 17.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Claeys, DeGraaf, Garber, Hedke, Highland, Houston, Huebert, K. Jones, Kahrs, O'Brien, Patton, Rhoades, Sloan, Whipple, Winn.

The bill passed, as amended.

## CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 270** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House on Final Action amendments, as follows: On page 49, in line 37, before the period by inserting ", and prior to July 1, 2021";

On page 50, in line 1, after the period by inserting "No resident individual shall enroll and be eligible to participate in this program after June 30, 2021."; in line 11, before the comma by inserting "until January 1, 2022"; in line 17, before "there" by inserting "and before January 1, 2022,"; in line 22, before "and" by inserting "and prior to January 1, 2021,";

On page 51, following line 2, by inserting:

"New Sec. 9. (a) As used in this section:

(1) "Business entity" means a limited liability company, S corporation, partnership, association, sole proprietorship, joint venture or other similar form of business



organization. The term "business entity" shall not include any business organization subject to the income tax on corporations under K.S.A. 79-32,110(c), and amendments thereto, the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto;

(2) "qualified income" means:

(A) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return;

(B) net income from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and

(C) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; and

(3) "qualified loss" means:

(A) Net loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return;

(B) net loss from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and

(C) net farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return.

(b) For tax year 2015, and all tax years thereafter, any individual who has an ownership interest in a business entity shall be eligible for the lowest marginal individual income tax rate applicable under K.S.A. 79-32,110, and amendments thereto, with respect to qualified income received from such business. Any qualified income of the individual received from a business entity shall be taxed at the lowest rate for resident individuals pursuant to, and computed in accordance with, the tax schedules listed in K.S.A. 79-32,110, and amendments thereto. Remaining income of the individual shall be taxed pursuant to, and computed in accordance with, the tax schedules listed in K.S.A. 79-32,110, and amendments thereto, without regard to the provisions of this section.

(c) The director of taxation shall not assess any penalties or interest arising from the underpayment of taxes under this section which occurs before April 15, 2016.

(d) The secretary of revenue shall adopt all necessary rules and regulations to implement and administer the provisions of this section.

Sec. 10. K.S.A. 2014 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110.

(a) *Resident Individuals.* Except as otherwise provided by ~~subsection (a)~~ of K.S.A. 79-3220(a) and section 9, and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in

accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over.....	\$1,050 plus 6.25% of excess
\$60,000 .....	over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess
	over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over
	\$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over
	\$30,000

(D) For tax ~~year~~ years 2015 through 2018:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over
	\$30,000

(E) For tax year ~~2016~~ 2019:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.4% of Kansas taxable income
Over \$30,000.....	\$720 plus <del>4.6%</del> <u>4.5%</u> of excess over
	\$30,000

(F) For tax year ~~2017~~ 2020, and all tax years thereafter:

If the taxable income is:	The tax is:
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Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus <del>4.6%</del> 4.3% of excess over \$30,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus 3.9% of excess over \$30,000

(2) All other individuals.

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax year years 2015 through 2018:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

excess over

\$15,000

(E) For tax year ~~2016~~ 2019:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.4% of Kansas taxable income
Over \$15,000.....	\$360 plus <del>4.6%</del> <u>4.5%</u> of excess over

\$15,000

(F) For tax year ~~2017~~ 2020, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus <del>4.6%</del> <u>4.3%</u> of excess over

\$15,000

(G) For tax year ~~2018~~, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus <del>3.9%</del> of excess over

\$15,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in ~~paragraph (2)~~ of subsection (a)(2) hereof.

(e) ~~Tax rates provided in this section shall be adjusted pursuant to the provisions of~~

K.S.A. 2014 Supp. 79-32,269, and amendments thereto. Notwithstanding the provisions of subsections (a) and (b), for tax year 2017, and all tax years thereafter, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero.

Sec. 11. K.S.A. 2014 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income after December 31, 2014.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2014 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to ~~paragraph (xv) of subsection (e) of K.S.A. 79-32,117(c)(xv)~~, and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2014 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2014 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to ~~paragraph (xiii) of subsection (e)(c)(xiii)~~, or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to

K.S.A. 2014 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or

dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2014 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2014 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2014 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2014 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.



(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2014 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2014 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such

taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending prior to January 1, 2015, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of ~~paragraph (xix) of subsection (b)(xix)~~ attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For all taxable years beginning after December 31, 2013, the net gain from the sale of Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 12. K.S.A. 2014 Supp. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) If federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax ~~year~~ years commencing on and after January 1, 2015, the Kansas itemized deduction of an individual means ~~60% of the total amount of following~~ deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal

revenue code.

(5) For the tax year commencing on January 1, 2016, the Kansas itemized deduction of an individual means 55% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(6) For tax years commencing on and after January 1, 2017, the Kansas itemized deduction of an individual means 50% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(b) The total amount of deductions from federal adjusted gross income shall be reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 2014 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

(c) The provisions of this section that provide for a reduction in the total amount of deductions from federal adjusted gross income shall not apply to contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code, and amendments thereto.

(d) Notwithstanding any provision of this section to the contrary, for taxable years commencing after January 1, 2013, the total amount of deductions from federal adjusted gross income shall be reduced by the total amount of wagering losses claimed as an itemized deduction in section 165(d) of the federal internal revenue code, and amendments thereto.

Sec. 13. K.S.A. 79-32,265 is hereby amended to read as follows: 79-32,265. Except as otherwise provided, no credit provided under the Kansas income tax act, and amendments thereto, shall be allowed for: (a) Any individual who fails to provide a valid social security number issued to such individual, the individual's spouse and dependents of the individual for purposes of section 205 (c)(2)(A) of the social security act on such individual's Kansas income tax return as the identifying number for such individual for tax purposes; or (b) or any individual who has not been issued a valid social security number for the entire taxable year in which such credit is claimed, except that this provision shall not apply for an individual whose spouse possesses a valid social security number for the entire taxable year and whose filing status for income tax purposes is married filing jointly. The provisions of this section shall not apply to the credit provided by K.S.A. 79-32,111, and amendments thereto.

Sec. 14. K.S.A. 2014 Supp. 79-3310 is hereby amended to read as follows: 79-3310. There is imposed a tax upon all cigarettes sold, distributed or given away within the state of Kansas. ~~On and after July 1, 2002, and before January 1, 2003, the rate of such tax shall be \$.70 on each 20 cigarettes or fractional part thereof or \$.875 on each 25 cigarettes, as the case requires. On and after January 1, 2003 July 1, 2015,~~ the rate of such tax shall be ~~\$.79~~ \$1.29 on each 20 cigarettes or fractional part thereof or ~~\$.99~~ \$1.61 on each 25 cigarettes, as the case requires. Such tax shall be collected and paid to the director as provided in this act. Such tax shall be paid only once and shall be paid by

the wholesale dealer first receiving the cigarettes as herein provided.

The taxes imposed by this act are hereby levied upon all sales of cigarettes made to any department, institution or agency of the state of Kansas, and to the political subdivisions thereof and their departments, institutions and agencies.

Sec. 15. K.S.A. 2014 Supp. 79-3310c is hereby amended to read as follows: 79-3310c. (4) On or before ~~July 30, 2002~~ 31, 2015, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on July 1, ~~2002~~ 2015. A tax of ~~\$.46~~ \$.50 on each 20 cigarettes or fractional part thereof or ~~\$.575~~ \$.62 on each 25 cigarettes, as the case requires and ~~\$.46~~ \$.50 or ~~\$.575~~ \$.62, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to July 1, ~~2002~~ 2015, is hereby imposed and shall be due and payable ~~in equal installments~~ on or before ~~July 30, 2002, on or before September 30, 2002, and on or before December 30, 2002~~ October 31, 2015. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.

(2) ~~On or before January 30, 2003, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on January 1, 2003. A tax of \$.09 on each 20 cigarettes or fractional part thereof or \$.115 on each 25 cigarettes, as the case requires and \$.09 or \$.115, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to January 1, 2003, is hereby imposed and shall be due and payable in equal installments on or before January 30, 2003, on or before March 30, 2003, and on or before June 30, 2003. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.~~

Sec. 16. K.S.A. 2014 Supp. 79-3311 is hereby amended to read as follows: 79-3311. The director shall design and designate indicia of tax payment to be affixed to each package of cigarettes as provided by this act. The director shall sell water applied stamps only to licensed wholesale dealers in the amounts of 1,000 or multiples thereof. Stamps applied by the heat process shall be sold only in amounts of 30,000 or multiples thereof, except that such stamps which are suitable for packages containing 25 cigarettes each shall be sold in amounts prescribed by the director. Meter imprints shall be sold only in amounts of 10,000 or multiples thereof. Water applied stamps in amounts of 10,000 or multiples thereof and stamps applied by the heat process and meter imprints shall be supplied to wholesale dealers at a discount of ~~90% on and after July 1, 2002, and before January 1, 2003, and 80%~~ 0.55% on and after July 1, 2015, and thereafter, from the face value thereof, and shall be deducted at the time of purchase or from the remittance therefor as hereinafter provided. Any wholesale cigarette dealer who shall file with the director a bond, of acceptable form, payable to the state of Kansas with a corporate surety authorized to do business in Kansas, shall be permitted to purchase stamps, and remit therefor to the director within 30 days after each such purchase, up to a maximum outstanding at any one time of 85% of the amount of the

bond. Failure on the part of any wholesale dealer to remit as herein specified shall be cause for forfeiture of such dealer's bond. All revenue received from the sale of such stamps or meter imprints shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the cigarette tax refund fund and shall credit the remaining balance to the state general fund. A refund fund designated the cigarette tax refund fund not to exceed \$10,000 at any time shall be set apart and maintained by the director from taxes collected under this act and held by the state treasurer for prompt payment of all refunds authorized by this act. Such cigarette tax refund fund shall be in such amount as the director shall determine is necessary to meet current refunding requirements under this act.

The wholesale cigarette dealer shall affix to each package of cigarettes stamps or tax meter imprints required by this act prior to the sale of cigarettes to any person, by such dealer or such dealer's agent or agents, within the state of Kansas. The director is empowered to authorize wholesale dealers to affix revenue tax meter imprints upon original packages of cigarettes and is charged with the duty of regulating the use of tax meters to secure payment of the proper taxes. No wholesale dealer shall affix revenue tax meter imprints to original packages of cigarettes without first having obtained permission from the director to employ this method of affixation. If the director approves the wholesale dealer's application for permission to affix revenue tax meter imprints to original packages of cigarettes, the director shall require such dealer to file a suitable bond payable to the state of Kansas executed by a corporate surety authorized to do business in Kansas. The director may, to assure the proper collection of taxes imposed by the act, revoke or suspend the privilege of imprinting tax meter imprints upon original packages of cigarettes. All meters shall be under the direct control of the director, and all transfer assignments or anything pertaining thereto must first be authorized by the director. All inks used in the stamping of cigarettes must be of a special type devised for use in connection with the machine employed and approved by the director. All repairs to the meter are strictly prohibited except by a duly authorized representative of the director. Requests for service shall be directed to the director. Meter machine ink imprints on all packages shall be clear and legible. If a wholesale dealer continuously issues illegible cigarette tax meter imprints, it shall be considered sufficient cause for revocation of such dealer's permit to use a cigarette tax meter.

A licensed wholesale dealer may, for the purpose of sale in another state, transport cigarettes not bearing Kansas indicia of tax payment through the state of Kansas provided such cigarettes are contained in sealed and original cartons.

Sec. 17. K.S.A. 2014 Supp. 79-3312 is hereby amended to read as follows: 79-3312. The director shall redeem any unused stamps or meter imprints that any wholesale dealer presents for redemption within six months after the purchase thereof, at the face value less ~~90% on and after July 1, 2002, and before January 1, 2003, and 80% thereafter~~ 0.55% thereof if such stamps or meter imprints have been purchased from the director. The director shall prepare a voucher showing the net amount of such refund due, and the director of accounts and reports shall draw a warrant on the state treasurer for the same. Wholesale dealers shall be entitled to a refund of the tax paid on cigarettes which have become unfit for sale upon proof thereof less ~~90% on and after July 1, 2002, and before January 1, 2003, and 80% thereafter~~ 0.55% of such tax.

Sec. 18. K.S.A. 2014 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the ~~twelfth~~ 12<sup>th</sup> grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North Central Association of Colleges and Schools, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate



sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages, candy, dietary supplements, food sold through vending machines, prepared food, soft drinks or tobacco.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal



property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance

agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of

business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller's cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(D) delivery charges; and

- (E) installation charges.
- (2) "Sales or selling price" includes consideration received by the seller from third parties if:
  - (A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
  - (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
  - (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
  - (D) one of the following criteria is met:
    - (i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;
    - (ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or
    - (iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.
- (3) "Sales or selling price" shall not include:
  - (A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;
  - (B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;
  - (C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;
  - (D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and
  - (E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.
- (mm) "Seller" means a person making sales, leases or rentals of personal property or services.
- (nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.
- (oo) "Sourcing rules" means the rules set forth in K.S.A. 2014 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.
- (pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.
- (qq) "Taxpayer" means any person obligated to account to the director for taxes

collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration.

(iii) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(jii) (1) "Prepared food" means any of the following:

(A) Food sold in a heated state or heated by the seller;

(B) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(C) food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

(2) "Prepared food" does not include:

(A) Food that is only cut, repackaged or pasteurized by the seller;

(B) eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the United States food and drug administration, in chapter 3, part 401.11 of its food code, so as to prevent foodborne illnesses;

(C) if sold without eating utensils provided by the seller, bakery items, including breads, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(D) food sold by a seller whose primary North American industry classification system, United States, 2002 edition, classification is manufacturing in sector 311, except subsector 3118.

(III) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products; soy, rice or similar milk substitutes; or greater than 50% of vegetable or fruit juice by volume.

(mmm) "Dietary supplement" shall have the same meaning ascribed to it as in K.S.A. 79-3606(jjj), and amendments thereto.

Sec. 19. K.S.A. 2014 Supp. 79-3603, as amended by section 20, of 2015 Senate Substitute for House Bill No. 2155, is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of ~~6.15%~~ 6.45%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2014 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after



January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.



(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified

and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not

being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; ~~and~~

(w) all sales of charitable raffle tickets in accordance with section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; ~~and~~

(x) commencing January 1, 2016, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 5.7%.

Sec. 20. K.S.A. 2014 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) ~~The state treasurer shall credit <sup>5</sup>/<sub>108</sub> of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(2) ~~The state treasurer shall credit <sup>7</sup>/<sub>106</sub> of the revenue collected or received from the~~

~~tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(3) On July 1, 2006, the state treasurer shall credit <sup>19</sup>/<sub>265</sub> of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(4) On July 1, 2007, the state treasurer shall credit <sup>13</sup>/<sub>106</sub> of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(6)(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(7)(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(8)(4) On July 1, 2013, and thereafter, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(5) (A) On July 1, 2015, the state treasurer shall credit 16.445% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.45%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(B) On January 1, 2016, the state treasurer shall credit 16.445% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.45% and 5.7%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(6) On July 1, 2016, and thereafter, the state treasurer shall credit 16.526% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.45% and 5.7%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was

designated as a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under ~~subsection (d)~~ of K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by ~~subsection (c)~~ of K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to ~~subsection (e)~~ of K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by ~~subsection (oo)~~ of K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191<sup>st</sup> Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183<sup>rd</sup> Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 21. K.S.A. 2014 Supp. 79-3695 is hereby amended to read as follows: 79-3695. If any contractor has entered into a written binding contract prior to May 1, ~~2010~~ 2015, for the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a building, facility or residential structure, or for the construction, reconstruction, restoration, replacement or repair of a bridge or highway, the state sales tax applicable to such contracts shall be remitted at the rate in effect prior to the state sales tax increase scheduled to take effect on July 1, ~~2010~~ 2015, if the contractor gives notice and proof of such contract to the director of taxation on or before July 10, ~~2010~~ 2015, which notice and proof shall be in such form and of such sufficiency as the director shall prescribe.

Sec. 22. K.S.A. 2014 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount

equal to the consideration paid by the taxpayer multiplied by the rate of ~~6.15%~~ 6.45%, except that commencing January 1, 2016, such rate shall be 5.7% on food and food ingredients as defined by K.S.A. 79-3602, and amendments thereto. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 23. K.S.A. 2014 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) ~~The state treasurer shall credit  $\frac{5}{98}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(2) ~~The state treasurer shall credit  $\frac{5}{106}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(3) ~~On July 1, 2006, the state treasurer shall credit  $\frac{19}{7265}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(4) ~~On July 1, 2007, the state treasurer shall credit  $\frac{13}{7406}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6)(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments

thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(7)(3)~~ On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(8)(4)~~ On July 1, 2013, ~~and thereafter~~, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) (A) On July 1, 2015, the state treasurer shall credit 16.445% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.45%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(B) On January 1, 2016, the state treasurer shall credit 16.445% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.45% and 5.7%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, and thereafter, the state treasurer shall credit 16.526% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.45% and 5.7%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by ~~subsection (d) of K.S.A. 79-3620(d)~~, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under ~~subsection (d) of K.S.A. 79-3620(d)~~, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in ~~subsection (z) of K.S.A. 12-1770a(z)~~, and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by ~~subsection (e) of K.S.A. 79-3603(c)~~, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to ~~subsection (e) of K.S.A. 79-~~



3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by ~~subsection (oo) of~~ K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191<sup>st</sup> Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183<sup>rd</sup> Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 24. K.S.A. 79-5108 is hereby amended to read as follows: 79-5108. (a) The secretary of revenue shall provide county officials of the several counties with copies of manuals for the taxation of motor vehicles together with such other information and forms as may be necessary for the administration of the provisions of this act. The county officials of the several counties shall provide the secretary of revenue with such information as may be deemed necessary by the secretary for the proper administration of the provisions of this act.

(b) The amount of the tax levied upon each motor vehicle under the provisions of this act together with the taxable value computed under the provisions of K.S.A. 79-5105, and amendments thereto, for the purpose of computing such tax and such other information as the secretary of revenue shall determine to be necessary for the administration of this act shall be included upon the owner's motor vehicle registration application for such motor vehicle. If the taxable value of such vehicle is computed by the department of revenue, such department shall compute the tax and list the same upon such registration application. If the motor vehicle is classified by the county appraiser under the provisions of K.S.A. 79-5102 or 79-5103, and amendments thereto, the county appraiser shall determine the taxable value of such motor vehicle and compute the tax and list the same upon such registration application in the space provided for such purpose. The application shall also provide for the addition or inclusion of information by the taxpayer which is necessary for the determination of the tax situs of the motor vehicle.

(c) A copy of the motor vehicle registration application for an owner of a vehicle subject to registration under the provisions of K.S.A. 8-126 et seq., and amendments thereto, and subject to the tax imposed upon a motor vehicle pursuant to K.S.A. 79-5101 et seq., and amendments thereto, including all information required by such provisions to enable the owner to register the vehicle by completing the registration application and to pay the tax by return mail, shall be mailed by the department of revenue or, at the election of a county, by the county to the address of the owner as shown by the records of the department or the county no later than 45 days before the owner's registration and motor vehicle tax is due.

(d) The county treasurer shall at least once each week file with the county clerk that



portion of all motor vehicle registration applications received in the treasurer's office showing the tax situs and other information relating to the taxation thereof under the provisions of this act. The county clerk shall at least 30 working days prior to the date upon which the county treasurer makes the current tax distribution and by December 15 for any tax distribution to be made in the month of December submit to the county treasurer a motor vehicle tax distribution abstract showing the total taxes collected under the provisions of this act to be distributed to the state and each taxing subdivision in the county ~~(including the county as a taxing subdivision)~~.";

And by renumbering sections accordingly;

Also on page 51, in line 3, after "K.S.A." by inserting "79-5108 and K.S.A."; in line 4, by striking "and" and inserting ", 79-32,110, 79-32,117, 79-32,120, 79-32,265,"; also in line 4, following "79-32,267" by inserting ", 79-32,269, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3620, 79-3695, 79-3703 and 79-3710";

On page 1, in the title, in line 3, before "credits" by inserting "rates, itemized deductions, subtraction modifications,"; in line 5, following the last semicolon, by inserting "sales and compensating use tax, rates, distribution thereof, food; taxation of cigarettes; motor vehicle taxation;" in line 6, after "K.S.A." by inserting "79-5108 and K.S.A."; in line 8, by striking the first "and" and inserting ", 79-32,110, 79-32,117, 79-32,120, 79-32,265,"; also in line 8, following "79-32,267" by inserting ", 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3620, 79-3695, 79-3703 and 79-3710"; in line 9, before the period, by inserting "; also repealing K.S.A. 2014 Supp. 79-32,269";

And your committee on conference recommends the adoption of this report.

MARVIN KLEEB

GENE SUELLENTROP

*Conferees on part of House*

LES DONOVAN

CARYN TYSON

*Conferees on part of Senate*

On motion of Rep. Kleeb to adopt the conference committee report on **H Sub for SB 270**, the motion did not prevail.

On roll call, the vote was: Yeas 27; Nays 82; Present but not voting: 0; Absent or not voting: 16.

Yeas: Alford, Barker, Billinger, Boldra, W. Carpenter, Concannon, Davis, Estes, Ewy, Goico, Gonzalez, Hawkins, Hoffman, Hutton, Johnson, Kelly, Kleeb, Mast, Merrick, Osterman, Proehl, Ryckman Sr., Schwartz, Seiwert, Smith, Thimesch, Waymaster.

Nays: Alcalá, Anthimides, Ballard, Barton, Becker, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Corbet, Curtis, Dierks, Doll, Dove, Edmonds, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Grosserode, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houser, Huebert, Hutchins, Jennings, D. Jones, Kelley, Kiegerl, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, McPherson, Moxley, Ousley, Pauls, Peck, Phillips, Powell, Read, Rooker, Rubin, Ruiz, Ryckman, Sawyer, Scapa, Schroeder, Schwab, Suellentrop, Sutton, Swanson, Thompson, Tietze,

Todd, Trimmer, Vickrey, Victors, Ward, Whitmer, Williams, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Claeys, DeGraaf, Garber, Hedke, Highland, Houston, K. Jones, Kahrs, O'Brien, Patton, Rhoades, Sloan, Whipple, Winn.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes on **H Sub for SB 270**. Today I find myself in an uncomfortable position of voting yes on raising taxes. I do not do this with the thought that decisions made in the past were all wrong and that we are going to the wrong fiscal direction, but with the idea that not all variables can be predicted. I believe we find ourselves in this situation because of many factors on both sides of the ledger. I vote yes on this plan because of all the plans I have seen so far, I believe it gives us the most balanced approach for taxpayers, businesses, and consumers. – KYLE HOFFMAN, JACK THIMESCH, BUD ESTES, JOE SEIWERT, SHARON SCHWARTZ, SUE BOLDRÁ

MR. SPEAKER: We vote yes on **H Sub for SB 270** in order to restore fiscal stability for the state of Kansas. The balanced approach of this committee report addresses all revenue streams in order to resolve the financial calamity that our state currently faces. As representatives of the Kansas House, we need to claim responsibility and charter a path towards fiscal solvency, which would allow for a stable fiscal and business environment. In extreme situations as in these, we need to be cognizant, responsible, and, most importantly, to govern for the betterment of Kansas and our citizens. – STEPHEN ALFORD, TROY L. WAYMASTER, JOHN L. EWY, CHUCK SMITH, RICK BILLINGER

#### INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Ryckman moved that the House reconsider its adverse action in not adopting the conference committee report on **H Sub for SB 270**.

The motion prevailed.

The question reverted back to the motion of Rep. Kleeb to adopt the conference committee report on **H Sub for SB 270**.

Also, Rep. Barker offered a substitute motion to not adopt the conference committee report on **H Sub for SB 270** and that a new conference committee be appointed. The motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as fourth conferees on the part of the House.

#### INTRODUCTION OF ORIGINAL MOTIONS

In accordance with House Rule 2311, Rep. Vickrey moved that House Rule 101 be suspended to allow the House to meet between midnight and 8:00 a.m.

Roll call was demanded.

On roll call, the vote was: Yeas 85; Nays 22; Present but not voting: 0; Absent or not voting: 18.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Dove, Esau,

Estes, Ewy, Finch, Francis, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hemsley, Henry, Hibbard, Hildabrand, Hill, Hineman, Hoffman, Houser, Hutchins, Hutton, Jennings, Johnson, Kelley, Kelly, Kleeb, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Osterman, Ousley, Phillips, Powell, Proehl, Rooker, Rubin, Ruiz, Jr. Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Smith, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Victors, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Carlin, Carmichael, Doll, Finney, Frownfelter, Henderson, Highberger, D. Jones, Kiegerl, Kuether, Lane, Moxley, Pauls, Peck, Read, Sr. Ryckman, Seiwert, Thompson, Tietze, Trimmer, Ward, Winn.

Present but not voting: None.

Absent or not voting: Barton, Bollier, Bridges, Claeys, DeGraaf, Edmonds, Garber, Hedke, Highland, Houston, Huebert, K. Jones, Kahrs, O'Brien, Patton, Rhoades, Sloan, Whipple.

The motion prevailed.

On motion of Rep. Vickrey, the house recessed until 9:30 p.m.

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#### NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **SB 11** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

#### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **H Sub for SB 270** and has appointed Senators Donovan, Tyson and Holland as fourth conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **S Sub for HB 2109**, and has appointed Senators Donovan, Tyson and Holland as second conferees on the part of the Senate.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2109** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

LES DONOVAN

CARYN TYSON

*Conferees on part of Senate*

MARVIN KLEEB  
 GENE SUELLENTROP  
*Conferees on part of House*

On motion of Rep. Kleeb the conference committee report on **S Sub for HB 2109** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as second conferees on the part of the House.

The House stood at ease until the sound of the gavel.

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Speaker pro tem Mast called the House to order.

On motion of Rep. Vickrey, the House recessed until 12:30 a.m.

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#### LATE NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

#### REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 11** be amended by adoption of the amendments recommended by the House Committee on Judiciary as reported in the Journal of the House on March 23, 2015, and the bill as printed with house committee amendments, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 11," as follows:

"House Substitute for SENATE BILL NO. 11

By Committee on Appropriations

"AN ACT concerning state officers and employees; relating to duties of the secretary of administration; concerning essential state employees; amending K.S.A. 2014 Supp. 75-3747 and repealing the existing section."; and the substitute bill be passed.  
 (**SB 11** was thereupon introduced and read by title.)

#### REPORT ON ENROLLED BILLS

**HB 2331, S Sub for HB 2353** reported correctly enrolled, properly signed and presented to the Governor on June 5, 2015.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Saturday, June 6, 2015.

# Journal of the House

## EIGHTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Saturday, June 6, 2015, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 106 members present.

Reps. Bollier, Bridges, Campbell, Carlin, Claeys, Garber, Hedke, Highland, Hill, Houston, K. Jones, Kahrs, Patton, Read, Seiwert, Sloan, Thimesch and Whipple were excused on excused absence by the Speaker.

Rep. Kiegerl was absent.

Present later: Campbell, Highland, Hill, Read and Sloan.

Reps. Bruchman and Thompson were excused later in the day on excused absence by the Speaker.

Rep. W. Carpenter was excused on excused absence by the Speaker for a portion of the day.

Prayer by Rep. Barton:

Dear Lord,  
This is the day that You have made and we will  
rejoice and be glad in it.  
Help us to remember our purpose, the people we  
serve, beyond differences and gridlock.  
Give us wisdom to perceive Your will, courage  
to carry it out, and right attitudes until it is  
finished.  
In Jesus' name, Amen.

The Pledge of Allegiance was led by Rep. Lane.

On motion of Rep. Vickrey, the House recessed until 9:30 a.m.

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## LATE MORNING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, **H Sub for SB 11** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

Committee report recommending a substitute bill to **H Sub for SB 11** was adopted.

Also, Rep. Hutton called the question.

**H Sub for SB 11**, AN ACT concerning state officers and employees; relating to duties of the secretary of administration; concerning essential state employees; amending K.S.A. 2014 Supp. 75-3747 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 0; Present but not voting: 0; Absent or not voting: 19.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hemsley, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelley, Kelly, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Pauls, Peck, Phillips, Powell, Proehl, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Smith, Suellentrop, Sutton, Swanson, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Campbell, Carlin, Claeys, Garber, Hedke, Highland, Hill, Houston, K. Jones, Kahrs, Kiegerl, Patton, Read, Seiwert, Sloan, Thimesch, Whipple.

The substitute bill passed.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

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**AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**MESSAGES FROM THE SENATE**

The Senate concurs in House amendments to **SB 206**.

On motion of Rep. Vickrey, the House recessed until 4:30 p.m.

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**LATE AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**MESSAGES FROM THE SENATE**

The Senate not adopts the Conference Committee report on **S Sub for HB 2109**,

requests a conference and appoints Senators Donovan, Tyson and Holland as third conferees on the part of the Senate.

The Senate concurs in House amendments to **H Sub for SB 11**.

The House stood at ease until the sound of the gavel.

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Speaker pro tem Mast called the House to order.

### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **S Sub for HB 2109**.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Sawyer as third conferees on the part of the House.

### CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Reps. Kleeb, Suellentrop and Sawyer as members of the conference committee on **HB 2142** to replace Reps. Schwab, Bruchman and Houston.

On motion of Rep. Vickrey, the House recessed until 9:00 p.m.

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### EVENING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2281**.

The Senate announced the appointment of Senator Donovan to replace Senator Longbine as a conferee on **HB 2142**.

The Senate announced the appointment of Senator Tyson to replace Senator Bowers as a conferee on **HB 2142**.

The Senate announced the appointment of Senator Holland to replace Senator Kelly as a conferee on **HB 2142**.

### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2281** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2281, as follows:

On page 2, in line 4, by striking "December 31, 2017" and inserting "July 1, 2018"; by striking all in lines 5 through 43;

By striking all on pages 3 through 11;

On page 12, by striking all in lines 1 through 4; following line 4, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 39-709, as amended by section 9 of 2015 Senate

Substitute for House Bill No. 2258, is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence compatible with decency and health. Where a husband and wife or cohabiting partners are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse, cohabiting partner or such individual's minor child or minor stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for temporary assistance for needy families, for food assistance and for any other assistance provided through the Kansas department for children and families under which federal moneys are expended, the secretary for children and families shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion.

(2) Is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Temporary assistance for needy families.* Assistance may be granted under this act to any dependent child, or relative, subject to the general eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as temporary assistance for needy families. On and after January 1, 2017, the department shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department. Where the husband and wife or cohabiting partners are living together, both shall register for work under the program requirements for temporary assistance for needy families in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(1) As used in this subsection, "family group" or "household" means the applicant or recipient for TANF, child care subsidy or employment services and all individuals living together in which there is a relationship of legal responsibility or a qualifying caretaker relationship. This will include a cohabiting boyfriend or girlfriend living with the person legally responsible for the child. The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for 36 calendar months beginning on and after October 1, 1996, unless the secretary determines a



hardship exists and grants an extension allowing receipt of TANF until the 48-month limit is reached. No extension beyond 48 months shall be granted. Hardship provisions for a recipient include:

- (A) Is a caretaker of a disabled family member living in the household;
- (B) has a disability which precludes employment on a long-term basis or requires substantial rehabilitation;
- (C) needs a time limit extension to overcome the effects of domestic violence/sexual assault;
- (D) is involved with prevention and protection services (PPS) and has an open social service plan; or
- (E) is determined by the 36<sup>th</sup> month to have an extreme hardship other than what is designated in criteria listed in subparagraphs (A) through (E). This determination will be made by the executive review team.

(2) All adults applying for TANF shall be required to complete a work program assessment as specified by the Kansas department for children and families, including those who have been disqualified for or denied TANF due to non-cooperation, drug testing requirements or fraud. Adults who are not otherwise eligible for TANF, such as ineligible aliens, relative/non-relative caretakers and adults receiving supplemental security income are not required to complete the assessment process. During the application processing period, applicants must complete at least one module or its equivalent of the work program assessment to be considered eligible for TANF benefits, unless good cause is found to be exempt from the requirements. Good cause exemptions shall only include:

- (A) The applicant can document an existing certification verifying completion of the work program assessment;
- (B) the applicant has a valid offer of employment or is employed a minimum of 20 hours a week;
- (C) the applicant is a parenting teen without a GED or high school diploma;
- (D) the applicant is enrolled in job corps;
- (E) the applicant is working with a refugee social services agency; or
- (F) the applicant has completed the work program assessment within the last 12 months.

(3) The department for children and families shall maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

(4) TANF mandatory work program applicants and recipients shall participate in work components that lead to competitive, integrated employment. Components are defined by the federal government as being either primary or secondary. In order to meet federal work participation requirements, households need to meet at least 30 hours of participation per week, at least 20 hours of which need to be primary and at least 10 hours may be secondary components in one parent households where the youngest child is six years of age or older. Participation hours shall be 55 hours in two parent households (35 hours per week if child care is not used). The maximum assignment is 40 hours per week per individual. For two parent families to meet the federal work participation rate both parents must participate in a combined total of 55 hours per week, 50 hours of which must be in primary components, or one or both parents could

be assigned a combined total of 35 hours per week (30 hours of which must be primary components) if department for children and families paid child care is not received by the family. Single parent families with a child under age six meet the federal participation requirement if the parent is engaged in work or work activities for at least 20 hours per week in a primary work component. The following components meet federal definitions of primary hours of participation: Full or part-time employment, apprenticeship, work study, self-employment, job corps, subsidized employment, work experience sites, on-the-job training, supervised community service, vocational education, job search and job readiness. Secondary components include: Job skills training, education directly related to employment such as adult basic education and English as a second language, and completion of a high school diploma or GED.

(5) A parent or other adult caretaker personally providing care for a child under the age of three months in their TANF household is exempt from work participation activities until the month the child turns three months of age. Such three-month limitation shall not apply to a parent or other adult caretaker who is personally providing care for a child born significantly premature, with serious medical conditions or with a disability as defined by the secretary, in consultation with the secretary of health and environment, and adopted in the rules and regulations. The three-month period is defined as two consecutive months starting with the month after childbirth. The exemption for caring for a child under three months cannot be claimed:

(A) By either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) by one parent or caretaker when the other parent or caretaker is in the home, and available, capable and suitable to provide care and the household does not meet the two-parent definition for federal reporting purposes;

(C) by a person age 19 or younger when such person is pregnant or a parent of a child in the home and the person does not possess a high school diploma or its equivalent. Such person shall become exempt the month such person turns age 20;

(D) by any adult in the TANF assistance plan when at least one adult has reached the 36 months of TANF cash assistance; or

(E) by any person assigned to a work participation activity for substance use disorders.

(6) TANF work experience placements shall be reviewed after 90 days and are limited to six months per 48-month lifetime limit. A client's progress shall be reviewed prior to each new placement regardless of the length of time they are at the work experience site.

(7) TANF participants with disabilities shall engage in required employment activities to the maximum extent consistent with their abilities. TANF participants shall provide current documentation by a qualified medical practitioner that details the abilities to engage in employment and any limitations in work activities along with the expected duration of such limitations. Disability is defined as a physical or mental impairment constituting or resulting in a substantial impediment to employment for such individual.

(8) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for TANF benefits based on non-cooperation with work programs shall be as follows:

(A) For a first penalty, three months and full cooperation with work program activities;

(B) for a second penalty, six months and full cooperation with work program activities;

(C) for a third penalty, one year and full cooperation with work program activities; and

(D) for a fourth or subsequent penalty, 10 years.

(9) Individuals that have not cooperated with TANF work programs shall be ineligible to participate in the food assistance program. The comparable penalty shall be applied to only the individual in the food assistance program who failed to comply with the TANF work requirement. The agency shall impose the same penalty to the member of the household who failed to comply with TANF requirements. The penalty periods are three months, six months, one year, or 10 years.

(10) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for child care subsidy or TANF benefits based on parents' non-cooperation with child support services shall be as follows:

(A) For the first penalty, three months and cooperation with child support services prior to regaining eligibility;

(B) for a second penalty, six months and cooperation with child support services prior to regaining eligibility;

(C) for a third penalty, one year and cooperation with child support services prior to regaining eligibility; and

(D) for a fourth penalty, 10 years.

(11) Individuals that have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. The period of disqualification ends once it has been determined that such individual is cooperating with child support services.

(12) Any individual who is found to have committed fraud or is found guilty of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014 Supp. 21-5801, and amendments thereto, in either the TANF or child care program shall render all adults in the family unit ineligible for TANF assistance. Adults in the household who were determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014 Supp. 21-5801, and amendments thereto, shall render themselves and all adult household members ineligible for their lifetime for TANF, even if fraud was committed in only one program. Households who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014 Supp. 21-5801, and amendments thereto, shall be required to name a protective payee as approved by the secretary or the secretary's designee to administer TANF benefits or food assistance on behalf of the children. No adult in a household may have access to the TANF cash assistance benefit.

(13) (A) Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, which includes as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog. For food assistance, the individual shall be permanently disqualified if they have been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled

substance analog.

(B) Notwithstanding the provisions of subparagraph (A), an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).

(14) No TANF cash assistance shall be used to purchase alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials. No TANF cash assistance shall be used in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or sexually oriented business or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. TANF cash assistance transactions for cash withdrawals from automated teller machines shall be limited to \$25, per transaction and to one transaction per day. No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas. The secretary for children and families is authorized to raise or rescind the automated teller machine withdrawal limit established by this section in order to ensure continued appropriation of the TANF block grant through compliance with the provisions of the middle class tax relief and job creation act of 2012 which govern adequate access to cash assistance.

(15) (A) The secretary for children and families shall place a photograph of the recipient, if agreed to by such recipient of public assistance, on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.

(16) The secretary for children and families shall adopt rules and regulations:

(A) In determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) in determining and maintaining eligibility for non-TANF child care, requiring that all included adults shall be employed a minimum of 20 hours per week or more as defined by the secretary or meet the following specific qualifying exemptions:

(i) Adults who are not capable of meeting the requirement due to a documented physical or mental condition;

(ii) adults who are former TANF recipients who need child care for employment after their TANF case has closed and earned income is a factor in the closure in the two months immediately following TANF closure;

(iii) adult parents included in a case in which the only child receiving benefits is the child of a minor parent who is working on completion of high school or obtaining a GED; or

(iv) adults who are participants in a mandatory food assistance education and training program.

The department for children and families shall provide child care for the pursuit of any degree or certification if the occupation has at least an average job outlook listed in the occupational outlook of the U.S. department of labor, bureau of labor statistics. For occupations with less than an average job outlook, educational plans shall require approval of the secretary or secretary's designee. Child care may also be approved if the student provides verification of a specific job offer that will be available to such student upon completion of the program. Child care for post-secondary education shall be allowed for a lifetime maximum of 24 months per adult. The 24 months may not have to be consecutive. Students shall be engaged in paid employment for a minimum of 15 hours per week. In a two-parent adult household, child care would not be allowed if both parents are adults and attending a formal education or training program at the same time. The household may choose which one of the parents is participating as a post-secondary student. The other parent shall meet another approvable criteria for child care subsidy.

(17) The secretary for children and families is prohibited from requesting or implementing a waiver or program from the U.S. department of agriculture for the time limited assistance provisions for able-bodied adults aged 18 through 49 without dependents in a household under the food assistance program. The time on food assistance for able-bodied adults aged 18 through 49 without dependents in the household shall be limited to three months in a 36-month period if such adults are not meeting the requirements imposed by the U.S. department of agriculture that they must work for at least 20 hours per week or participate in a federally approved work program or its equivalent.

(18) Eligibility for the food assistance program shall be limited to those individuals who are citizens or who meet qualified non-citizen status as determined by U.S. department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the U.S. department of agriculture, residing within a household shall not be included when determining the household's size for the purposes of assigning a benefit level to the household for food assistance or comparing the household's monthly income with the income eligibility standards. The gross non-exempt earned and unearned income and resources of disqualified individuals shall be counted in its entirety as available to the remaining

household members.

(19) The secretary for children and families shall not enact the state option from the U.S. department of agriculture for broad-based categorical eligibility for households applying for food assistance according to the provisions of 7 C.F.R. § 273.2(j)(2)(ii).

(20) No federal or state funds shall be used for television, radio or billboard advertisements that are designed to promote food assistance benefits and enrollment. No federal or state funding shall be used for any agreements with foreign governments designed to promote food assistance.

(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2014(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2014(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(c) *Temporary assistance for needy families; assignment of support rights and limited power of attorney.* By applying for or receiving temporary assistance for needy families such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving temporary assistance for needy families, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

(d) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United

States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to K.S.A. 16-303(c), and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%, then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient. Medical assistance eligibility for receipt of benefits under the title XIX of the social security act, commonly known as medicaid, shall not be expanded, as provided for in the patient protection and affordable care act, public law 111-148, 124 stat. 119, and the health care and education reconciliation act of 2010, public law 111-152, 124 stat. 1029, unless the legislature expressly consents to, and approves of, the expansion of medicaid services by an act of the legislature.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless: (i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and (ii) the trust: (a) Is funded from resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or (b) is funded not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, "public assistance" includes, but is not limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met: (i) The contract, agreement or accord must be in writing and executed prior to any services being provided; (ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals; (iii) if no similarly situated nonlicensed



individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards; (iv) such individual providing the services will report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies; (v) any amounts due under such contract, agreement or accord shall be paid after the services are rendered; (vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and (vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

(e) *Eligibility for medical assistance of resident receiving medical care outside state.* A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

(f) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.* (1) (A) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303 of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in on behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the



assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to K.S.A. 39-756(d), and amendments thereto, except that any amounts designated as medical support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(B) Notwithstanding the provisions of subparagraph (A), the secretary of health and environment, or the secretary's designee, is hereby authorized to and shall exercise any of the powers specified in subparagraph (A) in relation to performance of such secretary's duties pertaining to medical subrogation, estate recovery or any other duties assigned to such secretary in article 74 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection (d) is: (A) A claim against the property or any interest therein belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both; and (B) a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, ~~9-1216~~, 17-2263, 17-2264, 17-5828 or 17-5829, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection (d) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under 21 years of age or is blind or permanently and totally disabled, the amount of any medical assistance paid under subsection (d) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection. The secretary of health and environment is authorized to enforce each claim provided for under this subsection. The secretary of health and environment shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary of health and environment from claims under this subsection shall be deposited in the social welfare fund. The secretary of health and environment may adopt rules and regulations for the implementation and administration of the medical assistance recovery program under this subsection.

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following

definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim is limited to the individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim shall apply to the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes, without limitation assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) The secretary of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county where the real property is located within one year from the date of death of the recipient and must contain the legal description of all real property in the county subject to the lien.

(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home or other medical institution shall constitute a determination by the department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance paid by the department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's

designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

- (A) After the death of the surviving spouse of the recipient;
- (B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;
- (C) when there is no adult child of the recipient, natural or adopted, who is blind or disabled residing in the home; or
- (D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title by conveyance, sale, succession, inheritance or will unless one of the following events occur:

(A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to the secretary of health and environment or the secretary's designee;

(B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or

(C) the value of the real property is consumed by the lien, at which time the secretary of health and environment or the secretary's designee may force the sale for the real property to satisfy the lien.

(7) If the secretary for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(9) All rules and regulations adopted on and after July 1, 2013, and prior to July 1, 2014, to implement this subsection shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

(g) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary for children and families pays for the expenses of care and custody of a child pursuant to K.S.A. 2014 Supp. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall

become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of care and custody of a child or a child is placed in the custody of the secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

(h) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge or violation of a condition of probation or parole imposed under federal or state law shall be eligible to receive public assistance benefits in this state. Any recipient of public assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

(i) If the applicant or recipient of temporary assistance for needy families is a mother of the dependent child, as a condition of the mother's eligibility for temporary assistance for needy families the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of temporary assistance for needy families who fails to cooperate with requirements relating to child support services under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary.

(j) By applying for or receiving child care benefits or food assistance, the applicant or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care benefits or food assistance, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of

temporary assistance for needy families.

(k) (1) A program of drug screening for applicants for cash assistance as a condition of eligibility for cash assistance and persons receiving cash assistance as a condition of continued receipt of cash assistance shall be established, subject to applicable federal law, by the secretary for children and families on and before January 1, 2014. Under such program of drug screening, the secretary for children and families shall order a drug screening of an applicant for or a recipient of cash assistance at any time when reasonable suspicion exists that such applicant for or recipient of cash assistance is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, an applicant's or recipient's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the applicant or recipient indicating unlawful use of a controlled substance or controlled substance analog.

(2) Any applicant for or recipient of cash assistance whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any applicant for or recipient of cash assistance who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such applicant or recipient who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(3) Any applicant for or recipient of cash assistance who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be terminated from cash assistance, subject to applicable federal law.

(4) If an applicant for or recipient of cash assistance is ineligible for or terminated from cash assistance as a result of a positive test for unlawful use of a controlled

substance or controlled substance analog, and such applicant for or recipient of cash assistance is the parent or legal guardian of a minor child, an appropriate protective payee shall be designated to receive cash assistance on behalf of such child. Such parent or legal guardian of the minor child may choose to designate an individual to receive cash assistance for such parent's or legal guardian's minor child, as approved by the secretary for children and families. Prior to the designated individual receiving any cash assistance, the secretary for children and families shall review whether reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog.

(A) In addition, any individual designated to receive cash assistance on behalf of an eligible minor child shall be subject to drug screening at any time when reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, the designated individual's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the designated individual indicating unlawful use of a controlled substance or controlled substance analog.

(B) Any designated individual whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any designated individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such designated individual who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(C) Upon any positive test for unlawful use of a controlled substance or controlled substance analog, the designated individual shall not receive cash assistance on behalf of the parent's or legal guardian's minor child, and another designated individual shall be selected by the secretary for children and families to receive cash assistance on behalf of such parent's or legal guardian's minor child.

(5) If a person has been convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall thereby become forever ineligible to receive any cash assistance under this subsection unless such conviction is the person's first conviction. First-time offenders convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall become ineligible to receive cash assistance for five years from the date of conviction.

(6) Except for hearings before the Kansas department for children and families or, the results of any drug screening administered as part of the drug screening program

authorized by this subsection shall be confidential and shall not be disclosed publicly.

(7) The secretary for children and families may adopt such rules and regulations as are necessary to carry out the provisions of this subsection.

(8) Any authority granted to the secretary for children and families under this subsection shall be in addition to any other penalties prescribed by law.

(9) As used in this subsection:

(A) "Cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant to such statutes.

(B) "Controlled substance" means the same as in K.S.A. 2014 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) "Controlled substance analog" means the same as in K.S.A. 2014 Supp. 21-5701, and amendments thereto.";

Also on page 12, in line 17, after "the" by inserting "reporting"; in line 18, by striking "a" and inserting "the"; also in line 18, by striking "5½%" and inserting "3.31%, and on and after January 1, 2018, the privilege fee shall be 2%"; in line 22, after "fee" by inserting ", or a change in the rate of the privilege fee,"; in line 25, after "fee" by inserting "or the change in such privilege fee";

On page 13, in line 4, by striking "January" and inserting "July"; in line 5, by striking "December 31, 2017" and inserting "June 30, 2018"; in line 6, by striking "2" and inserting "1"; by striking all in lines 8 through 43;

On page 14, by striking all in lines 1 through 23; in line 24, by striking "40-2404," and inserting "39-709, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2258, 39-709, as amended by section 150 of 2015 Senate Bill No. 240, and"; also in line 24, by striking all after "40-3213";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the commissioner of insurance" and inserting "public assistance"; also in line 1, by striking "powers,"; in line 2, by striking all before the second "the"; in line 3, after "fund" by inserting ", privilege fees and TANF cash assistance"; also in line 3, by striking "40-2404," and inserting "39-709, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2258, and"; in line 4, by striking ", 40-5905 and 40-5906"; also in line 4, after "sections" by inserting "; also repealing K.S.A. 2014 Supp. 39-709, as amended by section 150 of 2015 Senate Bill No. 240";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK  
MICHAEL O'DONNELL II  
*Conferees on part of Senate*

DANIEL R. HAWKINS  
SCOTT SCHWAB  
*Conferees on part of House*

On motion of Rep. Hawkins, the conference committee report on **S Sub for HB 2281** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 63; Nays 41; Present but not voting: 0; Absent or not voting: 21.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Concannon, Corbet, Davis, Dove, Esau, Estes, Gonzalez, Grosserode, Hawkins, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Sloan, Smith, Suellentrop, Sutton, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcala, Ballard, Becker, Burroughs, Carmichael, Clark, Clayton, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Jennings, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Rooker, Sawyer, Schroeder, Swanson, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Bridges, Bruchman, Carlin, Claeys, Ewy, Gallagher, Garber, Goico, Hedke, Houston, K. Jones, Kahrs, Kiegerl, Patton, Phillips, Ruiz, Seiwert, Thimesch, Thompson, Whipple.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m., Monday, June 8, 2015.



# Journal of the House

## EIGHTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, June 8, 2015, 2:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 113 members present.

Reps. Bollier, Bridges, Carlin, Claeys, Goico, Houston, Schwab and Trimmer were excused on excused absence by the Speaker.

Reps. Anthimides, Hildabrand, Kelley and Peck were absent.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for this day You have made,  
we will rejoice and be glad for it.  
Lord, I want to thank You for these leaders.  
In recent days they have been under undue stress.  
The decisions have been difficult.  
The debates have been arduous.  
The hours have been long.  
They have had negative responses from constituents.  
They have been separated from family and work.  
Most of all, they have carried the heavy burden  
of doing what is best and right for this state.  
Thank You for Your faithfulness to them  
giving them wisdom for the decisions;  
patience and respect for each other in the debates;  
stamina and energy for the long hours;  
grace under fire from the negative feedback;  
strength and encouragement for their families;  
and the promise of rest from the heavy burdens.  
Continue to guide and direct,  
this I ask in Your Son's Name,  
Amen.

The Pledge of Allegiance was led by Rep. Todd.

### MESSAGES FROM THE GOVERNOR

**HB 2003, HB 2025, HB 2055, HB 2104** approved on June 8, 2015

On motion of Rep. Vickrey, the House recessed until 6:00 p.m.

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EVENING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**REPORT ON ENGROSSED BILLS**

**HB 2048** reported correctly engrossed June 5, 2015.

**S Sub for HB 2281** reported correctly engrossed June 8, 2015.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Tuesday, June 9, 2015.

# Journal of the House

EIGHTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, June 9, 2015, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 115 members present.

Reps. Bollier, Bridges, Carlin, Claeys, Goico, Hildabrand, Houston, Schwab and Trimmer were excused on excused absence by the Speaker.

Rep. Grosserode was absent.

Prayer by Chaplain Brubaker:

Lord God, thank You for watching over us and for this, another beautiful day of Your creation.

Lord, I am beginning to think that my prayers have lost their credibility seeing that we are still here another day. But in all my years of talking to You, there are two major things I have learned: first, sometimes You say “yes,” sometimes You say “no,” but many times You say “wait.” We may not like it nor understand it, but it appears You are saying “wait” right now.

The second thing I have learned is that Your timetable and ours are never the same. Apparently that seems to be the case here. Your Word says that with You, “A day is like a thousand years, and a thousand years are like a day.” To be honest, this is a scary thought! But it continues to say that “the Lord is not slow in keeping his promise, as some understand slowness... He is giving everyone space and time to change.”

So, here we are another day, another—well, I am not sure there is another dollar—but I still hold claim to Your promises that You will guide them in the steps that they should take.

I humbly ask for this guidance in Christ’s Name, Amen.

The Pledge of Allegiance was led by Rep. Pauls.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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## AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**MESSAGES FROM THE GOVERNOR**

**HB 2331, S Sub for HB 2353** approved on June 9, 2015

On motion of Rep. Vickrey, the House recessed until 4:30 p.m.

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## LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

On motion of Rep. Vickrey, the House recessed until 7:30 p.m.

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## EVENING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**REPORT ON ENROLLED BILLS**

**HB 2048, S Sub for HB 2281** reported correctly enrolled, properly signed and presented to the Governor on June 9, 2015.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, June 10, 2015.

# Journal of the House

## EIGHTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, June 10, 2015, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 116 members present.

Reps. Bridges, Carlin, Claeys, Grosserode, Hildabrand, Houston, Kiegerl, Tietze and Trimmer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God in Heaven,  
thank You for another day in which we  
ask for Your presence, guidance and wisdom.  
In 1787, when the Constitutional Convention was at an impasse,  
Benjamin Franklin reminded the members that  
“unless the Lord builds the house,  
the builders labor in vain.”  
At that point, the impasse was broken through  
and our Constitution was established.  
I share these words with these members  
because we all need to be reminded that You own everything,  
and have granted us the privilege to be stewards of it all.  
Remind us that it should never become “our agenda.”  
The Prophet Isaiah admonishes us,  
“come now, and let us reason together.”  
Help us not to just sound reasonable  
while acting and being unreasonable,  
but help us to truly listen to one another with open minds  
and ears to hear Your small quiet voice in obedience.  
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Ousley.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

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## AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the Chair.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **S Sub for HB 2109**.

The Senate adopts the Conference Committee report on **H Sub for SB 112**.

On motion of Rep. Vickrey, the House recessed until 8:00 p.m.

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EVENING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2010, S Sub for HB 2094**.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Ryckman, the House concurred in Senate amendments to **HB 2010, AN ACT** concerning information technology; relating to the office of information technology services; providing for information technology audits; amending K.S.A. 46-1128 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 1; Absent or not voting: 13.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: Higherberger.

Absent or not voting: Bridges, Campbell, Carlin, Claeys, Goico, Grosserode, Hildabrand, Houston, Kiegerl, Moxley, Schwab, Tietze, Trimmer.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 270** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House on Final Action amendments, as follows:

On page 1, by striking all in lines 12 through 34;

By striking all on pages 2 through 51 and inserting:

"New Section 1. (a) For any taxable year commencing after December 31, 2014, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of an individual income taxpayer who purchased food in this state, had federal adjusted gross income for the tax year that did not exceed \$30,615, and meets the qualifications in subsections (b) and (c).

(b) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer and the taxpayer's spouse if married filing jointly, must be domiciled in this state. For purposes of this credit, "domicile" shall not include any correctional facility, or portion thereof, as defined in K.S.A. 75-5202, and amendments thereto, any juvenile correctional facility, or portion thereof, as defined in K.S.A. 38-2302, and amendments thereto, any correctional facility of the federal bureau of prisons located in the state of Kansas, or any city or county jail facility in the state of Kansas.

(c) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer or the taxpayer's spouse if married filing jointly, must be either: (1) A person having a disability, regardless of age; (2) a person without a disability who is 55 years of age or older; or (3) a person without a disability who is younger than 55 years of age who claims an exemption for one or more dependent children under 18 years of age.

(d) The amount of the credit shall be \$125 for every exemption claimed on the taxpayer's federal income tax return, except that no exemption shall be counted for a dependent unless the dependent is a child under 18 years of age.

(e) The credit allowed under this provision shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. It shall not be refundable and may not be carried forward.

(f) (1) Every taxpayer claiming the credit shall supply the division in support of a claim, reasonable proof of domicile, age and disability.

(2) A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability as defined in subsection (g).

(g) "Disability" means: (1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial

gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of this paragraph, with respect to any individual, "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; and "physical or mental impairment" means an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time. For purposes of this paragraph "blindness" means central visual acuity of  $^{20}/_{200}$  or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of  $^{20}/_{200}$  or less.

(h) The secretary of revenue is hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of this section.

Sec. 2. Section 11 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: Sec. 11. (a) There is hereby established the joint committee on tax exemptions and income tax credits which shall be within the legislative branch of state government and which shall be composed of 11 members as follows:

- (1) The president of the senate, ~~or the president's designee;~~
- (2) the speaker of the house of representatives, ~~or the speaker's designee;~~
- (3) the speaker pro tem of the house of representatives, ~~or the speaker pro tem's designee;~~
- (4) the majority leader of the senate, ~~or the majority leader's designee;~~
- (5) the majority leader of the house of representatives, ~~or the majority leader's designee;~~
- (6) the minority leader of the senate, ~~or the minority leader's designee;~~
- (7) the minority leader of the house of representatives, ~~or the minority leader's designee;~~
- (8) the chairperson of the house committee on taxation, ~~or the chairperson's designee;~~
- (9) the chairperson of the senate committee on assessment and taxation, ~~or the chairperson's designee;~~
- (10) the chairperson of the house committee on appropriations, ~~or the chairperson's designee;~~ and
- (11) the chairperson of the senate committee on ways and means, ~~or the chairperson's designee.~~

Members of the joint committee may designate a member of the legislature from the same legislative chamber as such member's designee on the joint committee.

(b) All members of the joint committee on tax exemptions and income tax credits shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. The joint committee shall organize annually and elect a chairperson



and vice-chairperson in accordance with this subsection. On and after the first day of the regular legislative session in odd-numbered years, the chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the senate members elected by the members of the joint committee and, after the first day of the regular legislative session in even-numbered years, the chairperson shall be one of the senate members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee. The chairperson and vice-chairperson of the joint committee shall serve in such capacities until the first day of the regular legislative session in the ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of the chairperson or vice-chairperson, a member of the joint committee, who is a member of the same house as the member who vacated the office, shall be elected by the members of the joint committee to fill such vacancy.

(c) The joint committee on tax exemptions and income tax credits may meet at any time and at any place within the state on the call of the chairperson. Members of the joint committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such committee authorized by the legislative coordinating council.

(d) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on tax exemptions and income tax credits.

(e) The joint committee on tax exemptions and income tax credits shall:

(1) Review and make recommendations prior to ~~January 1, 2017~~ 15, 2016, regarding the appropriateness of every statutory sales tax exemption including the identification of all business to business exemptions, property tax exemption and income tax credit as to whether the exemption or credit serves a necessary public purpose or is legally required pursuant to the constitution of the United States or the state of Kansas or other federal law; and

(2) make recommendations for the establishment of standards to be utilized in granting sales tax exemptions, property tax exemptions and income tax credits by the legislature.

(f) The joint committee on tax exemptions and income tax credits may introduce such legislation as it deems necessary in performing its function. In light of the complexities and indivisibility of the many individual exemptions and credits that are the subject of this topic under study by the joint committee, the recommendations of the joint committee as expressed in legislation shall constitute a comprehensive legislative enactment and within constitutional limitations, such legislation shall be considered by the legislature.

(g) The joint committee on tax exemptions and income tax credits shall report to the legislature on or before ~~January 1, 2017~~ 15, 2016, any findings and recommendations concerning sales tax exemptions, property tax exemptions and income tax credits including any recommended legislation.

Sec. 3. K.S.A. 2014 Supp. 79-2925b, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-2925b. (a)

Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property valuation in any municipality increases from the next preceding year due to increases in the assessed valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-6b04 and section 11 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. Except as provided in subsection (g), notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the increase with a majority vote of the governing body by the adoption of a resolution and publishes such vote as provided in subsection (c).

(b) Revenue that, in the current year, is produced and attributable to the taxation of:

- (1) New improvements to real property;
- (2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;
- (3) property located within added jurisdictional territory; or
- (4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section, "municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any county, township, municipal university, school district, community college, drainage district or other taxing district. "Municipality" shall not include any such political subdivision or taxing district which receives \$1,000 or less in revenue from property taxes in the current year.

(g)(1) ~~In the case of cities and counties, a any resolution authorizing the adoption of any appropriation or budget under subsection (a) by the governing body otherwise required by this section to adopt any appropriation or budget which provides for funding by property tax revenue in an amount exceeding that of the next preceding year as adjusted pursuant to subsection (a) to reflect changes in the consumer price index.~~

shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the city or county voting at an election called and held thereon, except as otherwise provided. The election shall be called and held at the next regularly scheduled election in the manner provided by K.S.A. 10-120, and amendments thereto, at the next regularly scheduled election to be held in August or November, or may be a mail ballot election, conducted in accordance with K.S.A. 25-431 et seq., and amendments thereto, or may be a special election called by the city or county. Nothing in this subsection shall prevent any city or county from holding more than one election in any year.

(2) A resolution by the governing body of a city or county otherwise required by the provisions of this section shall not be required to be approved by an election required by subsection (g)(1) under the following circumstances:

(A) The increase in the amount of ad valorem tax to be levied that is greater than the change in the consumer price index is due to:

(i) Costs for new infrastructure or improvements to existing infrastructure to support new improvements to property exempt from property taxation pursuant to the provisions of K.S.A. 79-201 et seq., and amendments thereto, such as hospitals, schools and churches, or exempt additions to or improvements to property so exempt from property taxation;

(ii) bond and interest payments;

(iii) an increase in property subject to taxation as the result of the expiration of any abatement of property from property tax;

(iv) increases in road construction costs when such construction has been once approved by a resolution of the governing body of the city or county;

(v) special assessments;

(vi) judgments levied against the city or county or expenses for legal counsel and for defense of legal actions against the city or county or officers of the city or county;

(vii) new expenditures that are specifically mandated by federal or state law; or

(viii) an increase in property subject to taxation as the result of new construction;

(B) the assessed valuation has declined in one or more of the next preceding three calendar years and the increase in the amount of funding for the budget or appropriation from revenue produced from property taxes does not exceed the average amount of funding from such revenue of the next preceding three calendar years, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year; or

(C) the increase in the amount of ad valorem tax to be levied is less than the change in the consumer price index plus the loss of assessed property valuation that has occurred as the result of legislative action, judicial action or a ruling by the board of tax appeals.

Sec. 4. K.S.A. 2014 Supp. 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid

malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or

grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building

or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or

component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor

vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2014 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless



individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such

certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, which can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit

organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble

items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated

production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(II) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by

low income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease

and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a



positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise

dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise

dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or

the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition

against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales

tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of

1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected

children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit



museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be

provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the

number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor

an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf

of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of All American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon

conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so

incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; and

(llll) except for subsections (a), (b), (c), (d), (e), (f), (g), (i), (j), (k), (m), (n), (o), (p), (q), (r), (t), (w), (y), (cc), (hh), (jj), (kk), (ll), (nn), (pp), (zz), (aaa), (ccc), (fff) or (jjj) or as otherwise provided, the provisions of this section shall not apply after December 31, 2019.

Sec. 5. Section 11 of 2015 Senate Substitute for House Bill No. 2109 and K.S.A. 2014 Supp. 79-2925b, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109 and 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after 2015 House Bill No. 2109 is passed by the Legislature during the 2015 regular session and enacted into law, and the publication of this act in the statute book.;

On page 1, in the title, by striking all in lines 3 through 8; in line 9, by striking all before the period and inserting "food sales tax credit; sales and compensating use tax, exemptions; joint committee on tax exemptions and income tax credits; property tax, elections by cities and counties; amending section 11 of 2015 Senate Substitute for House Bill No. 2109 and K.S.A. 2014 Supp. 79-2925b, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109 and 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

MARVIN KLEEB

GENE SUELLENTROP

*Conferees on part of House*

LES DONOVAN

CARYN TYSON

*Conferees on part of Senate*

On motion of Rep. Kleeb, the conference committee report on **H Sub for SB 270** was adopted.

On roll call, the vote was: Yeas 66; Nays 49; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, W. Carpenter, Concannon, Corbet, Davis, Dove, Esau, Estes, Ewy, Garber, Gonzalez, Hawkins, Hedke, Hemsley, Highland, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, K. Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Powell, Proehl, Read, Rhoades, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Becker, Bollier, Bruchman, Burroughs, Carmichael, B. Carpenter, Clark, Clayton, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Jennings, D. Jones, Kuether, Lane, Lewis, Lusk, Lusker, Moxley, Ousley, Patton, Phillips, Rooker, Rubin, Ruiz, Sawyer, Swanson, Thompson, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bridges, Carlin, Claeys, Goico, Grosserode, Hildabrand, Houston, Kiegerl, Tietze, Trimmer.

## CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2109** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as And as Further Amended by Senate Committee of the Whole, as follows:

On page 49, by striking all in lines 21 through 43;

By striking all on pages 50 through 89;

On page 90, by striking all in lines 1 through 14;

On page 97, in line 17, after "income" by inserting ", not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4,";

On page 99, in line 21, after "revenue" by inserting "or, at the election of a county, by the county"; in line 22, after "department" by inserting "or the county";

On page 115, in line 7, after "(g)" by inserting "On and after January 1, 2018,";

On page 126, by striking all in lines 15 through 43;

By striking all on pages 127 through 130;

On page 131, by striking all in lines 1 through 30; following line 30, by inserting the following:

"Sec. 7. K.S.A. 2014 Supp. 79-3603, as amended by section 20 of 2015 Senate



Substitute for House Bill No. 2155, is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, and commencing July 1, 2015, at the rate of 6.55%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2014 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include prior to January 1, 2020: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected prior to January 1, 2020 upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except, prior to January 1, 2020, laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected prior to January 1, 2020, upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(1) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected prior to January 1, 2020, upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be

levied and collected prior to January 1, 2020, upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers prior to January 1, 2020, by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers prior to January 1, 2020, by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers prior to January 1, 2020, which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section prior to January 1,

2020; and

(w) all sales of charitable raffle tickets in accordance with section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section prior to January 1, 2020; and

(x) commencing July 1, 2016, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 4.95%.;

On page 133, in line 7, by striking "(A)"; also in line 7, by striking "17.141%" and inserting "16.327%"; in line 9, by striking "6.15%" and inserting "6.55%"; by striking all in lines 12 through 16; in line 18, by striking "17.234%" and inserting "16.550%"; in line 19, by striking "6.15%" and inserting "6.55%"; also in line 19, by striking "5.7%" and inserting "4.95%";

On page 134, in line 33, by striking "6.15%" and inserting "6.55%"; in line 34, by striking "January" and inserting "July"; also in line 34, by striking "5.7%" and inserting "4.95%";

On page 136, in line 16, by striking "(A)"; also in line 16, by striking "17.141%" and inserting "16.327%"; in line 18, by striking "6.15%" and inserting "6.55%"; by striking all in lines 21 through 25; in line 27, by striking "17.234%" and inserting "16.550%"; in line 28, by striking "6.15%" and inserting "6.55%"; also in line 28, by striking "5.7%" and inserting "4.95%";

On page 137, by striking all in lines 37 through 43;

On page 138, by striking all in line 1; following line 1, by inserting:

"New Sec. 11. (a) There is hereby established the joint committee on tax exemptions and income tax credits which shall be within the legislative branch of state government and which shall be composed of 11 members as follows:

- (1) The president of the senate, or the president's designee;
- (2) the speaker of the house of representatives, or the speaker's designee;
- (3) the speaker pro tem of the house of representatives, or the speaker pro tem's designee;
- (4) the majority leader of the senate, or the majority leader's designee;
- (5) the majority leader of the house of representatives, or the majority leader's designee;
- (6) the minority leader of the senate, or the minority leader's designee;
- (7) the minority leader of the house of representatives, or the minority leader's designee;
- (8) the chairperson of the house committee on taxation, or the chairperson's designee;
- (9) the chairperson of the senate committee on assessment and taxation, or the chairperson's designee;
- (10) the chairperson of the house committee on appropriations, or the chairperson's designee; and
- (11) the chairperson of the senate committee on ways and means, or the chairperson's designee.

(b) All members of the joint committee on tax exemptions and income tax credits shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. The joint committee shall organize annually and elect a chairperson and vice-chairperson in accordance with this subsection. On and after the first day of the regular legislative session in odd-numbered years, the chairperson shall be one of

the representative members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the senate members elected by the members of the joint committee and, after the first day of the regular legislative session in even-numbered years, the chairperson shall be one of the senate members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee. The chairperson and vice-chairperson of the joint committee shall serve in such capacities until the first day of the regular legislative session in the ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of the chairperson or vice-chairperson, a member of the joint committee, who is a member of the same house as the member who vacated the office, shall be elected by the members of the joint committee to fill such vacancy.

(c) The joint committee on tax exemptions and income tax credits may meet at any time and at any place within the state on the call of the chairperson. Members of the joint committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such committee authorized by the legislative coordinating council.

(d) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on tax exemptions and income tax credits.

(e) The joint committee on tax exemptions and income tax credits shall:

(1) Review and make recommendations prior to January 1, 2017, regarding the appropriateness of every statutory sales tax exemption including the identification of all business to business exemptions, property tax exemption and income tax credit as to whether the exemption or credit serves a necessary public purpose or is legally required pursuant to the constitution of the United States or the state of Kansas or other federal law; and

(2) make recommendations for the establishment of standards to be utilized in granting sales tax exemptions, property tax exemptions and income tax credits by the legislature.

(f) The joint committee on tax exemptions and income tax credits may introduce such legislation as it deems necessary in performing its function. In light of the complexities and indivisibility of the many individual exemptions and credits that are the subject of this topic under study by the joint committee, the recommendations of the joint committee as expressed in legislation shall constitute a comprehensive legislative enactment and within constitutional limitations, such legislation shall be considered by the legislature.

(g) The joint committee on tax exemptions and income tax credits shall report to the legislature on or before January 1, 2017, any findings and recommendations concerning sales tax exemptions, property tax exemptions and income tax credits including any recommended legislation.

New Sec. 12. (a) On and after July 1, 2016, a tax is hereby imposed upon the privilege of selling or dealing in electronic cigarettes in this state by any person engaged in business as a distributor thereof, at the rate of \$.20 per milliliter of consumable material for electronic cigarettes and a proportionate tax at the like rate on

all fractional parts thereof. For electronic cigarettes in the possession of retail dealers for which tax has not been paid, tax shall be imposed under this subsection at the earliest time the retail dealer: (1) Brings or causes to be brought into this state from without the state electronic cigarettes for sale; (2) makes, manufactures or fabricates electronic cigarettes in this state for sale in this state; or (3) sells electronic cigarettes to consumers within this state.

(b) The secretary of revenue shall adopt rules and regulations to implement the provisions of this section.

Sec. 13. K.S.A. 2014 Supp. 12-187 is hereby amended to read as follows: 12-187. (a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within such county which contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within such county which levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir

project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom



by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of ~~paragraph (5) of subsection (b) of K.S.A. 68-2314(b)(5)~~, and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to ~~paragraph (2) of subsection (a)(2)~~ by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with

federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) The board of county commissioners of Clay, Dickinson and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay and Dickinson county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) The board of county commissioners of Cowley, Crawford, Russell and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford, Russell and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the

costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom as follows: 50% of such revenues for the purpose of financing for economic development initiatives; and 50% of such revenues for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after seven years from the date such tax is first collected. The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% which such tax shall take effect after the expiration of the tax imposed pursuant to this paragraph prior to the effective date of this act, and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabaunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the

question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of

imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within each of such counties which contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within each of such counties which levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

Sec. 14. K.S.A. 2014 Supp. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any

countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward, Thomas or Wyandotte county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of ~~paragraph (3) of subsection (b) of~~ K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of ~~paragraph (4) of subsection (b) of~~ K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county for the purposes of ~~paragraph (5) of subsection (b) of~~ K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of ~~paragraph (7) of subsection (b) of~~ K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of ~~paragraph (7) of subsection (b) of~~ K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of ~~paragraph (8) of subsection (b) of~~ K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of ~~paragraph (9) of subsection (b) of~~ K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of

~~paragraph (10) of subsection (b) of K.S.A. 12-187(b)(10)~~, and amendments thereto, may fix such rate at 1.75%;

(i) the board of county commissioners of Douglas county, for the purposes of ~~paragraph (11) of subsection (b) of K.S.A. 12-187(b)(11) and (b)(30)~~, and amendments thereto, may fix such rate at ~~1.25%~~ 1.75%;

(j) the board of county commissioners of Jackson county, for the purposes of ~~subsection (b)(13) of K.S.A. 12-187(b)(13)~~, and amendments thereto, may fix such rate at 1.4%;

(k) the board of county commissioners of Sedgwick county, for the purposes of ~~paragraph (3)(C) of subsection (b) of K.S.A. 12-187(b)(3)(C)~~, and amendments thereto, may fix such rate at 2%;

(l) the board of county commissioners of Neosho county, for the purposes of ~~paragraph (14) of subsection (b) of K.S.A. 12-187(b)(14)~~, and amendments thereto, may fix such rate at 1.0% or 1.5%;

(m) the board of county commissioners of Saline county, for the purposes of ~~paragraph (15) of subsection (b) of K.S.A. 12-187(b)(15)~~, and amendments thereto, may fix such rate at up to 1.5%;

(n) the board of county commissioners of Harvey county, for the purposes of ~~paragraph (16) of subsection (b) of K.S.A. 12-187(b)(16)~~, and amendments thereto, may fix such rate at 2.0%;

(o) the board of county commissioners of Atchison county, for the purpose of ~~paragraph (17) of subsection (b) of K.S.A. 12-187(b)(17)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;

(p) the board of county commissioners of Wabaunsee county, for the purpose of ~~paragraph (18) of subsection (b) of K.S.A. 12-187(b)(18)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;

(q) the board of county commissioners of Jefferson county, for the purpose of ~~paragraphs (19) and (25) of subsection (b) of K.S.A. 12-187(b)(19) and (25)~~, and amendments thereto, may fix such rate at 2.25%;

(r) the board of county commissioners of Riley county, for the purpose of ~~paragraph (20) of subsection (b) of K.S.A. 12-187(b)(20)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county for the purposes of ~~paragraph (21) of subsection (b) of K.S.A. 12-187(b)(21)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county for the purposes of ~~paragraph (22) of subsection (b) of K.S.A. 12-187(b)(22)~~, and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county for the purposes of



~~paragraph (23) of subsection (b) of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;~~

(v) ~~the board of county commissioners of Barton county, for the purposes of paragraph (24) of subsection (b) of K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;~~

(w) ~~the board of county commissioners of Lyon county, for the purposes of paragraph (3)(D) of subsection (b) of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;~~

(x) ~~the board of county commissioners of Rawlins county, for the purposes of paragraph (3)(E) of subsection (b) of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;~~

(y) ~~the board of county commissioners of Chautauqua county, for the purposes of paragraph (3)(F) of subsection (b) of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;~~

(z) ~~the board of county commissioners of Pottawatomie county, for the purposes of paragraph (26) of subsection (b) of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;~~

(aa) ~~the board of county commissioners of Kingman county, for the purposes of paragraph (27) of subsection (b) of K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;~~

(bb) ~~the board of county commissioners of Edwards county, for the purposes of paragraph (28) of subsection (b) of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%; and~~

(cc) ~~the board of county commissioners of Rooks county, for the purposes of paragraph (29) of subsection (b) of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%; and~~

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187 (b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such

ordinance or resolution. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in ~~paragraph (22) of subsection (b) of~~ K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax which exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 15. K.S.A. 2014 Supp. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner: (1) One-half of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and (2) one-half of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the

population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county. All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner: (A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and (B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows: (i) One-fourth shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; (ii) one-fourth shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and (iii) one-half shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city

boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to ~~paragraphs (2), (3)(C), (3)(F), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28) and (29) of subsection (b) of K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30) and (31), and amendments thereto,~~ shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in ~~paragraph (5) of subsection (b) of K.S.A. 12-187(b)(5), and amendments thereto,~~ all revenues received from a countywide retailers' sales tax imposed pursuant to ~~paragraph (5) of subsection (b) of K.S.A. 12-187(b)(5), and amendments thereto,~~ shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to ~~paragraph (26) of subsection (b) of K.S.A. 12-187(b)(26), and amendments thereto,~~ shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by ~~paragraph (26) of subsection (b) of K.S.A. 12-187(b)(26), and amendments thereto,~~ includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 16. K.S.A. 2014 Supp. 12-3915 is hereby amended to read as follows: 12-

3915. The governing body of any fire district created pursuant to this act shall have the authority to:

(a) Levy taxes and special assessments as provided by law. Except as provided by K.S.A. 12-3913, and amendments thereto, the governing body shall fix the amount of the tax, ~~not to exceed 15 mills~~, to be levied upon all taxable tangible property in the consolidated fire district;

(b) enter into contracts;

(c) acquire and dispose of real and personal property;

(d) acquire, construct, reconstruct, equip, operate, maintain and furnish buildings to house fire-fighting equipment;

(e) acquire, operate and maintain fire-fighting equipment;

(f) issue general obligation bonds and no-fund warrants;

(g) pay compensation and salaries to fire district employees;

(h) exercise eminent domain;

(i) pay the operation and maintenance expenses of the fire district and other expenses legally incurred by the district;

(j) select regular employees, provide for their compensation and furnish quarters for such employees if deemed desirable;

(k) provide for the organization of volunteer members who may be compensated for fighting fires, responding to emergencies or attending meetings;

(l) provide special clothing and equipment for such employees and volunteers;

(m) insure such employees and volunteers against accidental death and injury in the performance of their duties;

(n) pay for the acquisition, installation or maintenance of one or more fire hydrants, or similar devices for fighting fires, including necessary equipment, services or supplies related thereto.

The acquisition, installation and maintenance shall be subject to the mutual agreement of the governing body of the fire district and the governing body of the rural water district which owns, operates or maintains the water line on which the fire hydrant, or other similar device for fighting fires, is to be installed; and

(o) do all things necessary or desirable to maintain and operate such department so as to furnish fire protection for the inhabitants of the district and otherwise effectuate the purposes of this act.

Sec. 17. K.S.A. 2014 Supp. 12-5909 is hereby amended to read as follows: 12-5909. (a) Until sold or otherwise disposed of by the bank and except for special assessments levied by a municipality to finance public improvements, any property acquired by the bank shall be exempt from the payment of ad valorem taxes levied by the state and any other political or taxing subdivision of the state.

(b) Except for special assessments levied by a municipality to finance public improvements, when the board acquires property pursuant to this act, the county treasurer shall remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the board.

(c) Property held by the bank shall remain liable for special assessments levied by a municipality to finance public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the bank.

(d) The governing body of any municipality which has levied special assessments on property acquired by the bank may abate part or all of the special assessments, and

the bank and governing body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the county treasurer as of the effective date of the abatement.

(e) The governing body of any municipality which has levied special assessments on property acquired by the bank may enter into an agreement with the bank to defer or reamortize part or all of the special assessments. The governing body of the municipality shall provide for such deferral or reamortization by passage of an ordinance, if a city, and by passage of a resolution by any other municipality. Any special assessments that are deferred or reamortized shall be corrected on the tax rolls by the county treasurer as of the effective date of the ordinance or resolution providing for such deferral or reamortization.

Sec. 18. K.S.A. 19-26,111 is hereby amended to read as follows: 19-26,111. (a) Until sold or otherwise disposed of by the bank and except for special assessments levied by a municipality to finance public improvements, any property acquired by the bank shall be exempt from the payment of ad valorem taxes levied by the state and any other political or taxing subdivision of the state.

(b) Except for special assessments levied by a municipality to finance public improvements, when the board acquires property pursuant to this act, the county treasurer shall remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the board.

(c) Property held by the bank shall remain liable for special assessments levied by a municipality to finance public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the bank.

(d) The governing body of any municipality which has levied special assessments on property acquired by the bank may abate part or all of the special assessments, and the bank and governing body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the county treasurer as of the effective date of the abatement.

(e) The governing body of any municipality which has levied special assessments on property acquired by the bank may enter into an agreement with the bank to defer or reamortize part or all of the special assessments. The governing body of the municipality shall provide for such deferral or reamortization by passage of an ordinance, if a city, and by passage of a resolution by any other municipality. Any special assessments that are deferred or reamortized shall be corrected on the tax rolls by the county treasurer as of the effective date of the ordinance or resolution providing for such deferral or reamortization.

Sec. 19. K.S.A. 19-3610 is hereby amended to read as follows: 19-3610. ~~(a)~~—The board of county commissioners each year shall levy an ad valorem tax on the taxable tangible property within each fire district in the county organized by virtue of this act, including or excluding such property within any city in each district as the case may be, as is required by the budget of each district. All proceeds of such levy shall be used to carry out the powers, duties and functions of the governing body of the fire district as specified in K.S.A. 19-3601a, and amendments thereto. ~~Except as otherwise authorized by this section, the board of county commissioners shall not make a levy, in any year, in any fire district in excess of five mills upon the property in the district.~~ Whenever a fire district has contracted with any other fire district, city or township or private entity within the vicinity of the district to furnish fire protection to the district, the board may

make a tax levy which produces a sum not exceeding the amount payable to the other fire district, city or township or private entity under such contract during the budget year for which the tax levy is made.

~~(b) The board of county commissioners of any county, when authorized by a majority of the electors of any fire district voting at an election called and held thereon, may levy a tax of more than five mills but not more than seven mills in any year upon the property within such district. Such election shall be a question submitted election and shall be called and held in the manner provided for the calling and holding of elections upon the question of issuance of bonds under the provisions of K.S.A. 10-120, and amendments thereto.~~

Sec. 20. K.S.A. 2014 Supp. 72-99a02, as amended by section 67 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-99a02. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) (A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407, prior to its repeal, and who is attending a public school that would qualify as either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013; or (B) has received been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;

(2) resides in Kansas while receiving eligible for an educational scholarship; and

(3) (A) was enrolled in any public school in the previous school year in which an educational scholarship is first sought for the child; or (B) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years.

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 2014 Supp. 72-99a01 through 72-99a07, and amendments thereto.

(g) "Public school" means a school that would qualify as either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013 and is operated by a school district.

(h) "Qualified school" means any nonpublic school that provides education to elementary or secondary students, has notified the state board of its intention to participate in the program and complies with the requirements of the program.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students attending or to qualified schools of their parents' choice in which parents have

enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" shall have the meaning ascribed thereto in section 5 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 21. K.S.A. 2014 Supp. 72-99a03 is hereby amended to read as follows: 72-99a03. (a) There is hereby established the tax credit for low income students scholarship program. The program shall provide eligible students with an opportunity to attend schools of their parents' choice.

(b) Each scholarship granting organization shall issue a receipt, in a form prescribed by the secretary, to each contributing taxpayer indicating the value of the contribution received. Each taxpayer shall provide a copy of such receipt when claiming the tax credit established in K.S.A. 2014 Supp. 72-99a07, and amendments thereto.

(c) Prior to awarding an educational scholarship with respect to an eligible student, unless such student is under the age of six years, the scholarship granting organization shall receive written verification from the state board that such student is an eligible student under this program, provided the state board and the board of education of the school district in which the eligible student was enrolled the previous school year have received written consent from such eligible student's parent authorizing the release of such information.

(d) Upon receipt of information in accordance with ~~subsection (a)(2) of~~ K.S.A. 2014 Supp. 72-99a04 ~~(a)(2)~~, and amendments thereto, the state board shall inform the scholarship granting organization ~~if such student has already been designated to receive~~ whether an educational scholarship has been awarded by another scholarship granting organization with respect to the eligible student.

(e) In each school year, ~~each eligible student under this program shall not receive no more than one \$8,000 in educational scholarship scholarships may be awarded~~ under this program with respect to an eligible student.

~~(f) An eligible student's participation in this program by receiving an educational scholarship constitutes a waiver to special education services provided by any school district, unless such school district agrees to provide such services to the qualified school.~~

Sec. 22. K.S.A. 2014 Supp. 72-99a04 is hereby amended to read as follows: 72-99a04. (a) To be eligible to participate in the program, a scholarship granting organization shall comply with the following:

(1) The scholarship granting organization shall notify the secretary and the state board of the scholarship granting organization's intent to provide educational scholarships ~~to students attending qualified schools;~~

(2) upon granting an educational scholarship ~~to an eligible student~~, the scholarship granting organization shall report such information to the state board;

(3) the scholarship granting organization shall provide verification to the secretary that the scholarship granting organization is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(4) upon receipt of contributions in an aggregate amount or value in excess of \$50,000 during a school year, a scholarship granting organization shall file with the



state board either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the scholarship granting organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(5) scholarship granting organizations that provide other nonprofit services in addition to providing educational scholarships shall not commingle contributions made under the program with other contributions made to such organization. A scholarship granting organization under this subsection shall also file with the state board, prior to the commencement of each school year, either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the nonprofit organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(6) ~~the scholarship granting organization shall ensure that each~~ qualified school receiving educational scholarships from the scholarship granting organization ~~is in~~ shall annually certify to the scholarship granting organization its compliance with the requirements of the program;

(7) at the end of the calendar year, the scholarship granting organization shall have its accounts examined and audited by a certified public accountant. Such audit shall include, but not be limited to, information verifying that the educational scholarships awarded by the scholarship granting organization were distributed to ~~the qualified schools with respect to~~ eligible students determined by the state board under subsection (e) of K.S.A. 2014 Supp. 72-99a03(c), and amendments thereto, and information specified in this section. Prior to filing a copy of the audit with the state board, such audit shall be duly verified and certified by a certified public accountant; and

(8) if a scholarship granting organization decides to limit the number or type of qualified schools who will receive educational scholarships, the scholarship granting organization shall provide, in writing, the name or names of those qualified schools to any contributor and the state board.

(b) No scholarship granting organization shall provide an educational scholarship ~~for with respect to~~ any eligible student to attend any qualified school with paid staff or paid board members, or relatives thereof, in common with the scholarship granting organization.

(c) The scholarship granting organization shall disburse not less than 90% of contributions received pursuant to the program ~~to eligible students~~ in the form of educational scholarships within 36 months of receipt of such contributions. If such contributions have not been disbursed within the applicable 36-month time period, then the scholarship granting organization shall not accept new contributions until 90% of the received contributions have been disbursed in the form of educational scholarships. Any income earned from contributions must be disbursed in the form of educational scholarships.

(d) A scholarship granting organization may continue to provide an educational

~~scholarship with respect to an eligible a student who received an educational scholarship under this program who was an eligible student~~ in the year immediately preceding the current school year.

(e) A scholarship granting organization shall direct payments of ~~an educational scholarship scholarships~~ to the qualified school ~~on behalf of the eligible student attended by the eligible student or in which the eligible student is enrolled~~. Payment ~~shall~~ may be made by check made payable to both the parent and the qualified school or to only the qualified school. If an eligible student transfers to a new qualified school during a school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the new qualified school based on the eligible student's attendance. If the eligible student transfers to a public school and enrolls in such public school after September 20 of the current school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the public school based on the eligible student's attendance. The prorated amount to the public school shall be considered a donation and shall be paid to the school district of such public school in accordance with K.S.A. 72-8210, and amendments thereto, ~~to provide for the education of such eligible student~~.

(f) By June 1 of each year, a scholarship granting organization shall submit a report to the state board for the educational scholarships provided in the immediately preceding 12 months. Such report shall be in a form and manner as prescribed by the state board, approved and signed by a certified public accountant, and shall contain the following information:

- (1) The name and address of the scholarship granting organization;
- (2) the name and address of each eligible student ~~receiving with respect to whom~~ an educational scholarship was awarded by the scholarship granting organization;
- (3) the total number and total dollar amount of contributions received during the 12-month reporting period; and
- (4) the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period and the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period with respect to eligible students who qualified under ~~subsection (d)~~ of K.S.A. 2014 Supp. 72-99a02(d), and amendments thereto.

(g) No scholarship granting organization shall:

- (1) Provide an ~~eligible student with an~~ educational scholarship with respect to an eligible student that is established by funding from any contributions made by any relative of such eligible student; or
- (2) accept a contribution from any source with the express or implied condition that such contribution be directed toward an educational scholarship for a particular eligible student.

Sec. 23. K.S.A. 2014 Supp. 74-50,208 is hereby amended to read as follows: 74-50,208. (a) A program contributor shall be allowed a credit against state income tax imposed under the Kansas income tax act in an amount not to exceed 75% of the contribution amount. If the amount of the credit allowed by this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer. No credit pursuant to this section shall be allowed for any contribution made by a program contributor which also qualified for a community services tax credit pursuant to the provisions of K.S.A. 79-32,195 et seq.,

and amendments thereto.

(b) The administration of the community-based organization, with the cooperation of the participating financial institutions, shall submit the names of contributors and the total amount each contributor contributes to the individual development account reserve fund for the calendar year. The secretary of revenue shall determine the date by which such information shall be submitted to the department of revenue by the local administrator.

(c) The total tax credits authorized pursuant to this section shall not exceed \$500,000 in any fiscal year.

(d) The provisions of this section shall be applicable to all taxable years commencing after December 31, ~~2010~~ 2014.

~~(e) For tax year 2013 and all tax years thereafter, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to subsection (c) of K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.~~

Sec. 24. K.S.A. 2014 Supp. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar year 2012, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a), under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, and prior to July 1, ~~2016~~ 2021. Such resident individual may enroll in this

program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, ~~2016~~ 2021.

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter until January 1, ~~2017~~ 2022, the secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 25. K.S.A. 2014 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110.(a) *Resident Individuals*. Except as otherwise provided by ~~subsection (a) of~~ K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000 .....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(D) For tax ~~year~~ years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year 2016:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.4% of Kansas taxable income
Over \$30,000.....	\$720 plus 4.6% of excess over
	<u>\$30,000</u>

(F) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus 4.6% of excess over
	<u>\$30,000</u>

(G)(E) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% <u>2.6%</u> of Kansas taxable income
Over \$30,000.....	<u>\$690</u> <u>\$780</u> plus <u>3.9%</u> <u>4.6%</u> of excess over \$30,000

(2) All other individuals.

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax year years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2016:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.4% of Kansas taxable income

Over \$15,000.....	\$360 plus 4.6% of excess over \$15,000
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(F) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus 4.6% of excess over \$15,000

(G)(E) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	<del>2.3%</del> 2.6% of Kansas taxable income
Over \$15,000.....	<del>\$345</del> \$390 plus <del>3.9%</del> 4.6% of excess over \$15,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in ~~paragraph (2)~~ of subsection (a)(2) hereof.

(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2014 Supp. 79-32,269, and amendments thereto.

Sec. 26. K.S.A. 2014 Supp. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) If federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as

provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax ~~year~~ years commencing on and after January 1, 2015, the Kansas itemized deduction of an individual means ~~60% of the total amount of~~ following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

~~(5) For the tax year commencing on January 1, 2016, the Kansas itemized deduction of an individual means 55% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.~~

~~(6) For tax years commencing on and after January 1, 2017, the Kansas itemized deduction of an individual means 50% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.~~

(b) The total amount of deductions from federal adjusted gross income shall be reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 2014 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

~~(c) The provisions of this section that provide for a reduction in the total amount of deductions from federal adjusted gross income shall not apply to contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code, and amendments thereto.~~

~~(d) Notwithstanding any provision of this section to the contrary, for taxable years commencing after January 1, 2013, the total amount of deductions from federal adjusted gross income shall be reduced by the total amount of wagering losses claimed as an itemized deduction in section 165(d) of the federal internal revenue code, and amendments thereto.~~

Sec. 27. K.S.A. 2014 Supp. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, and before January 1, ~~2017~~ 2022, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Establishes domicile in a rural opportunity zone on or after July 1, 2011, and prior to January 1, ~~2016~~ 2021, and was domiciled outside this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

(2) had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(3) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) This section shall be part of and supplemental to the Kansas income tax act.

Sec. 28. K.S.A. 2014 Supp. 79-32,269 is hereby amended to read as follows: 79-32,269. (a) (1) (A) Except as provided in subsection (a)(2), commencing with fiscal year ~~2018~~ 2020, in any fiscal year in which the amount of selected actual state general fund receipts ~~less: (i) Increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute; and (ii) increases in the costs of the medicaid program~~ from such fiscal year exceeds the selected actual state general fund receipts for the immediately preceding fiscal year by more than ~~2%~~ 3%, the director of legislative research shall certify such excess amount, in dollars, to the secretary of revenue and the director of the budget. Upon receipt of such certified amount, the secretary shall compute the ~~excess percentage increase in selected actual state general fund receipts above 2%. Based on such excess percentage of calculated receipt growth, the secretary shall compute the~~ income tax rate reductions to go into effect for the next tax year that would reduce by such certified amount, in dollars, the tax rates during the ~~fiscal year after the next fiscal~~ next tax year according to the provisions of this section, ~~as follows:~~ (A) Rate reductions for individual income tax rates shall be applied to reduce the highest marginal income tax rate applicable to the current tax year, by such excess percentage minus 0.5%, and the lowest marginal income tax rate applicable to the current tax year by such excess percentage plus 0.5%, except that in no case shall such excess percentage plus 0.5% result in an income tax rate increase. The secretary shall compute any income tax rate reductions so that any excess amount is applied such that an equal number of dollars are used to lower all individual income tax rates in K.S.A. 79-32,110, and amendments thereto. In any such computation by the secretary pursuant to this subsection: ~~(i) the resulting income tax rate shall be rounded down to the nearest 0.1%; and (ii) in any case in which the income tax rate for any individual marginal income tax rate is below 0.4%, such rate shall be 0%~~ 0.01%. Based on all such determinations, the secretary shall reduce individual income tax rates prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section;



(B) upon all individual marginal income tax rates being reduced to 0% pursuant to the provisions of subsection (a)(1)(A), rate reduction next shall be applied for the surtax on corporations applicable to the current tax year by such excess ~~percentage amount~~. ~~In any such computation by the secretary pursuant to this subsection in which the surtax is below 0.4%, such surtax rate shall be 0%.~~ Based on such determination, the secretary shall reduce the surtax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section; and

(C) upon the surtax on corporations being reduced to a rate which when combined with the normal tax rate on corporations is equal to or below the combined surtax and normal tax imposed on national banking associations and state banks or is equal to or below the combined surtax and normal tax imposed on trust companies and savings and loan associations, rate reductions shall be proportionately applied for the tax on corporations, the tax on national banking associations and state banks, and the tax on trust companies and savings and loan associations. Such rate reductions shall be first applied to the surtax until reduced to 0% and then applied to the normal tax for each such tax. ~~In any such computation by the secretary pursuant to this subsection in which any such tax is below 0.4%, such tax rate shall be 0%.~~ Based on such determination, the secretary shall reduce the surtax and the normal tax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, the surtax and normal tax on national banking associations and state banks prescribed by K.S.A. 79-1107, and amendments thereto, and the surtax and normal tax on trust companies and savings and loan associations prescribed by K.S.A. 79-1108, and amendments thereto, as required by this section.

(2) In any fiscal year in which the amount of selected actual state general fund receipts less: (A) increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute; and (B) increases in the costs of the medicaid program for such fiscal year are ~~102%~~ 103% or less than the selected actual state general fund receipts from the immediately preceding fiscal year, the director of legislative research shall certify such amount and fact to the secretary of revenue and the director of the budget. Upon receipt of such amount and fact, the secretary of revenue shall not make any adjustment to the income tax rates for that tax year.

(b) The secretary of revenue shall report any reduction in income tax rates prescribed by this section to the chairperson of the assessment and taxation committee of the senate, the chairperson of the taxation committee of the house of representatives and the governor, and shall cause notice of any such reduction to be published in the Kansas register prior to September 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

(c) As used in this section, "selected actual state general fund receipts" means receipts from the following taxes and fees: Individual and corporation income taxes imposed under K.S.A. 79-32,110, and amendments thereto, financial institutions privilege taxes imposed under article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, retail sales taxes imposed under K.S.A. 79-3601 et seq., and amendments thereto, compensating use taxes imposed under K.S.A. 79-3701 et seq., and amendments thereto, cigarette and tobacco product taxes imposed under K.S.A. 79-3301 et seq., and amendments thereto, cereal malt beverage and liquor gallonage taxes imposed under K.S.A. 41-501 et seq., and amendments thereto, liquor enforcement

taxes imposed under K.S.A. 79-4101 et seq., and amendments thereto, liquor drink taxes imposed under K.S.A. 79-41a01 et seq., and amendments thereto, corporation franchise taxes imposed under K.S.A. 79-5401, and amendments thereto, annual franchise fees charged pursuant to law and mineral severance taxes imposed under K.S.A. 79-4216 et seq., and amendments thereto.

Sec. 29. K.S.A. 2014 Supp. 79-3310 is hereby amended to read as follows: 79-3310. There is imposed a tax upon all cigarettes sold, distributed or given away within the state of Kansas. ~~On and after July 1, 2002, and before January 1, 2003, the rate of such tax shall be \$.70 on each 20 cigarettes or fractional part thereof or \$.875 on each 25 cigarettes, as the case requires. On and after January 1, 2003~~ July 1, 2015, the rate of such tax shall be ~~\$.79~~ \$1.29 on each 20 cigarettes or fractional part thereof or ~~\$.99~~ \$1.61 on each 25 cigarettes, as the case requires. Such tax shall be collected and paid to the director as provided in this act. Such tax shall be paid only once and shall be paid by the wholesale dealer first receiving the cigarettes as herein provided.

The taxes imposed by this act are hereby levied upon all sales of cigarettes made to any department, institution or agency of the state of Kansas, and to the political subdivisions thereof and their departments, institutions and agencies.

Sec. 30. K.S.A. 2014 Supp. 79-3310c is hereby amended to read as follows: 79-3310c. ~~(1) On or before July 30, 2002~~ 31, 2015, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on July 1, ~~2002~~ 2015. A tax of ~~\$.46~~ \$.50 on each 20 cigarettes or fractional part thereof or ~~\$.575~~ \$.62 on each 25 cigarettes, as the case requires and ~~\$.46 or \$.575~~ \$.50 or \$.62, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to July 1, ~~2002~~ 2015, is hereby imposed and shall be due and payable ~~in equal installments on or before July 30, 2002, on or before September 30, 2002, and on or before December 30, 2002~~ October 31, 2015. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.

~~(2) On or before January 30, 2003, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on January 1, 2003. A tax of \$.09 on each 20 cigarettes or fractional part thereof or \$.115 on each 25 cigarettes, as the case requires and \$.09 or \$.115, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to January 1, 2003, is hereby imposed and shall be due and payable in equal installments on or before January 30, 2003, on or before March 30, 2003, and on or before June 30, 2003. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.~~

Sec. 31. K.S.A. 2014 Supp. 79-3311 is hereby amended to read as follows: 79-3311. The director shall design and designate indicia of tax payment to be affixed to each package of cigarettes as provided by this act. The director shall sell water applied stamps only to licensed wholesale dealers in the amounts of 1,000 or multiples thereof.

Stamps applied by the heat process shall be sold only in amounts of 30,000 or multiples thereof, except that such stamps which are suitable for packages containing 25 cigarettes each shall be sold in amounts prescribed by the director. Meter imprints shall be sold only in amounts of 10,000 or multiples thereof. Water applied stamps in amounts of 10,000 or multiples thereof and stamps applied by the heat process and meter imprints shall be supplied to wholesale dealers at a discount of ~~90% on and after July 1, 2002, and before January 1, 2003, and 80%~~ 0.55% on and after July 1, 2015, and thereafter, from the face value thereof, and shall be deducted at the time of purchase or from the remittance therefor as hereinafter provided. Any wholesale cigarette dealer who shall file with the director a bond, of acceptable form, payable to the state of Kansas with a corporate surety authorized to do business in Kansas, shall be permitted to purchase stamps, and remit therefor to the director within 30 days after each such purchase, up to a maximum outstanding at any one time of 85% of the amount of the bond. Failure on the part of any wholesale dealer to remit as herein specified shall be cause for forfeiture of such dealer's bond. All revenue received from the sale of such stamps or meter imprints shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the cigarette tax refund fund and shall credit the remaining balance to the state general fund. A refund fund designated the cigarette tax refund fund not to exceed \$10,000 at any time shall be set apart and maintained by the director from taxes collected under this act and held by the state treasurer for prompt payment of all refunds authorized by this act. Such cigarette tax refund fund shall be in such amount as the director shall determine is necessary to meet current refunding requirements under this act.

The wholesale cigarette dealer shall affix to each package of cigarettes stamps or tax meter imprints required by this act prior to the sale of cigarettes to any person, by such dealer or such dealer's agent or agents, within the state of Kansas. The director is empowered to authorize wholesale dealers to affix revenue tax meter imprints upon original packages of cigarettes and is charged with the duty of regulating the use of tax meters to secure payment of the proper taxes. No wholesale dealer shall affix revenue tax meter imprints to original packages of cigarettes without first having obtained permission from the director to employ this method of affixation. If the director approves the wholesale dealer's application for permission to affix revenue tax meter imprints to original packages of cigarettes, the director shall require such dealer to file a suitable bond payable to the state of Kansas executed by a corporate surety authorized to do business in Kansas. The director may, to assure the proper collection of taxes imposed by the act, revoke or suspend the privilege of imprinting tax meter imprints upon original packages of cigarettes. All meters shall be under the direct control of the director, and all transfer assignments or anything pertaining thereto must first be authorized by the director. All inks used in the stamping of cigarettes must be of a special type devised for use in connection with the machine employed and approved by the director. All repairs to the meter are strictly prohibited except by a duly authorized representative of the director. Requests for service shall be directed to the director. Meter machine ink imprints on all packages shall be clear and legible. If a wholesale dealer continuously issues illegible cigarette tax meter imprints, it shall be considered sufficient cause for revocation of such dealer's permit to use a cigarette tax meter.

A licensed wholesale dealer may, for the purpose of sale in another state, transport cigarettes not bearing Kansas indicia of tax payment through the state of Kansas provided such cigarettes are contained in sealed and original cartons.

Sec. 32. K.S.A. 2014 Supp. 79-3312 is hereby amended to read as follows: 79-3312. The director shall redeem any unused stamps or meter imprints that any wholesale dealer presents for redemption within six months after the purchase thereof, at the face value less ~~90% on and after July 1, 2002, and before January 1, 2003, and .80% thereafter~~ 0.55% thereof if such stamps or meter imprints have been purchased from the director. The director shall prepare a voucher showing the net amount of such refund due, and the director of accounts and reports shall draw a warrant on the state treasurer for the same. Wholesale dealers shall be entitled to a refund of the tax paid on cigarettes which have become unfit for sale upon proof thereof less ~~90% on and after July 1, 2002, and before January 1, 2003, and .80% thereafter~~ 0.55% of such tax.

Sec. 33. K.S.A. 2014 Supp. 79-3606 is hereby amended to read as follows: 79-3606. following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for

the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project

reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use

outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of ~~subsection (o)~~ of K.S.A. 79-3603<sup>(o)</sup>, and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the

diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by ~~subsection (c) of~~ K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2014 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and



mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by ~~subsection (k) of~~ K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, which can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or

convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories

for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and

related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part

of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following

organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding



institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of

constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of

constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased

directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related

machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of

taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g) of~~ K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section

501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it

shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that



such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(tt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ subsection (h) of K.S.A. 79-3615, and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the

Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by

any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the

purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of All American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an

exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in ~~subsection (h)~~ of K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need; ~~and~~

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; ~~and~~

(llll) except for subsections (f), (g), (i), (j), (m), (n), (o), (p), (q), (r), (t), (v), (cc), (hh), (jj), (kk), (ll), (nn), (pp), (zz), (aaa), (ccc), (fff) or (jjj) or as otherwise provided.

the provisions of this section shall not apply after December 31, 2019.

Sec. 34. K.S.A. 2014 Supp. 79-3695 is hereby amended to read as follows: 79-3695. If any contractor has entered into a written binding contract prior to May 1, ~~2010~~ 2015, for the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a building, facility or residential structure, or for the construction, reconstruction, restoration, replacement or repair of a bridge or highway, the state sales tax applicable to such contracts shall be remitted at the rate in effect prior to the state sales tax increase scheduled to take effect on July 1, ~~2010~~ 2015, if the contractor gives notice and proof of such contract to the director of taxation on or before July 10, ~~2010~~ 2015, which notice and proof shall be in such form and of such sufficiency as the director shall prescribe.

Sec. 35. K.S.A. 19-26,111, 19-3610 and 79-5108 and K.S.A. 2014 Supp. 12-187, 12-189, 12-192, 12-3915, 12-5909, 72-99a02, as amended by section 67 of 2015 House Substitute for Senate Bill No. 7, 72-99a03, 72-99a04, 74-50,208, 74-50,223, 79-2925b, 79-32,110, 79-32,117, 79-32,120, 79-32,265, 79-32,267, 79-32,269, 79-32,270, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3606, 79-3620, 79-3695, 79-3703 and 79-3710 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 13 through 25; in line 26, by striking all before the period and by inserting "; sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits; amending K.S.A. 19-26,111, 19-3610 and 79-5108 and K.S.A. 2014 Supp. 12-187, 12-189, 12-192, 12-3915, 12-5909, 72-99a02, as amended by section 67 of 2015 House Substitute for Senate Bill No. 7, 72-99a03, 72-99a04, 74-50,208, 74-50,223, 79-2925b, 79-32,110, 79-32,117, 79-32,120, 79-32,265, 79-32,267, 79-32,269, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3606, 79-3620, 79-3695, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 79-32,270";

And your committee on conference recommends the adoption of this report.

LES DONOVAN

CARYN TYSON

*Conferees on part of Senate*

MARVIN KLEEB

GENE SUELLENTROP

*Conferees on part of House*

On motion of Rep. Kleeb, to adopt the conference committee report on **S Sub for HB 2109**, the motion did not prevail.

Call of the House was demanded.



In response to a Point of Order, Rules Chair Barker, in consultation with Vice-Chair Sawyer, ruled that House Rule 101 which prohibits a meeting of the House between 12 midnight and 8:00 a.m. requires business to stop at midnight if not previously suspended. The House will reconvene at 8:00 a.m. when it will resume the current order of business under a Call of the House as long as it is demanded by 10 members.

#### 8:00 AM SESSION

Speaker pro tem Mast called the House to order. Call of the House was continued.

In response to a Point of Order regarding Call of the House, Rules Chair Barker, in consultation with Vice-Chair Sawyer, ruled that under House Rule 2508 the call remains in effect until there is no longer a demand by 10 members or the Speaker determines that a reasonable effort has been made to secure absentees. The authority to make this determination lays solely with the Speaker.

On roll call, the vote was: Yeas 20; Nays 95; Present but not voting: 0; Absent or not voting: 10.

Yeas: Boldra, Davis, Estes, Ewy, Hoffman, Huebert, Hutchins, Kelly, Kleeb, Lunn, Mast, Merrick, Proehl, Rhoades, Ryckman, Schwab, Schwartz, Smith, Suellentrop, Vickrey.

Nays: Alcala, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houser, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kuether, Lane, Lewis, Lusk, Lusker, Macheers, Mason, McPherson, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Read, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Scapa, Schroeder, Seiwert, Sloan, Sutton, Swanson, Thimesch, Thompson, Todd, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bridges, Carlin, Claeys, Goico, Grosserode, Hildabrand, Houston, Kiegerl, Tietze, Trimmer.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes on **S Sub for HB 2109**. Today I find myself voting to raise taxes. I do this because I believe that I was sent here to represent and govern. I believe in low taxes and smaller government, not no government and no taxes. Some of you want more cuts; some want a total repeal of the 2012 tax cuts, neither is going to happen at this hour. The time has come, it may not be pretty and we may not like all the provisions, but it's time to fund the budget and go home. — KYLE HOFFMAN

MR. SPEAKER: The fiscal situation in Kansas led me to advocate for policy that would address the business exemptions created by the 2012 tax law. Portions of the current bill are acceptable, but this is not the balanced approach I wanted. The legislative session has gone on long enough and Kansas needs an increased revenue stream to fund

the budget. Further cuts or allotments are unacceptable as they endanger essential State and Local services. My position remains unchanged but in the spirit of compromise; reluctantly, I vote Yes on **S Sub for HB 2109**.-- SHARON SCHWARTZ, JOHN L. EWY, SUE BOLDRA

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m., Thursday, June 11, 2015.

# Journal of the House

## EIGHTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, June 11, 2015, 2:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 110 members present.

Reps. Bridges, Carlin, Claeys, Goico, Grosserode, Hildabrand, Houston, Kiegerl, Kuether, Lane, Tietze, Trimmer and Wolfe Moore were excused on excused absence by the Speaker.

Reps. Moxley, and Sloan were absent.

Present later: Reps. Goico, Kuether and Wolfe Moore.

Prayer by Peter Freund, former House staff member:

Father in Heaven,

Bring our minds to a place of repentance that we may have our hearts opened to your Truth, Forgive us of our sins and guide us in Your love.

God, give this body wisdom which only comes from fear of the Lord (Pr.1:7). Give this body love that comes from obedience to your Word (1 John 5:2).

Teach our hearts in this moment to be still and know that You are God (Ps.46:10). Quiet our fears, calm our anger, strengthen our resolve, and humble our pride. And above all, let us love one another. For the world will know that we are different, that we are called, by our love. And so help us forgive one another and bear with one another in Your love (Col.3.13).

Lord, thank you for Your provision, Your mercy and Your forgiveness. Please go before our leaders today and may Your will be done.

In your Son Jesus's name, Amen.

The Pledge of Allegiance was led by Rep. Hoffman.

### MESSAGES FROM THE SENATE

Announcing passage of **HB 2094**, as amended by **S Sub for HB 2094**.

Also, the Senate not adopts the Conference Committee report on **H Sub for SB 270**, requests a conference and appoints Senators Donovan, Tyson and Holland as fifth conferees on the part of the Senate.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 270**.

Speaker pro tem Mast thereupon appointed Reps. KleeB, Suellentrop and Sawyer as fifth conferees on the part of the House.

## MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Ryckman, the House concurred in Senate amendments to **S Sub for HB 2094**, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2014 Supp. 8-126, as amended by section 2 of 2015 House Bill No. 2044, 12-1744a, 12-4516, 12-4516a, 17-7673, 17-7674, 17-7677, 38-2310, 65-2895, 74-4911f, 74-4914d, as amended by section 2 of 2015 Senate Bill No. 228, 74-4920, as amended by section 3 of 2015 Senate Bill No. 228, 75-37,121, 76-1936, 79-1609 and 79-1703 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas and 65-2895, as amended by section 36 of chapter 131 of the 2014 Session Laws of Kansas and K.S.A. 2014 Supp. 8-126, as amended by section 1 of 2015 Senate Bill No. 73, 9-1111, as amended by section 8 of 2015 House Bill No. 2216, 9-1215, as amended by section 1 of 2015 Senate Substitute for House Bill No. 2258, 9-1216, as amended by section 2 of 2015 Senate Substitute for House Bill No. 2258, 12-1744f, 12-4516b, 12-4516c, 17-7673a, 17-7674a, 17-7677a, 20-380a, 74-4911j, 74-4914d, as amended by section 55 of 2015 House Substitute for Senate Bill No. 4, 74-4920, as amended by section 56 of 2015 House Substitute for Senate Bill No. 4, 74-99b34a, 75-37,121b, 76-1936a, 79-1609a and 79-1703a.

On roll call, the vote was: Yeas 103; Nays 0; Present but not voting: 0; Absent or not voting: 22.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Hemsley, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, KleeB, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Swanson, Thimesch, Thompson, Todd, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Carlin, Claeys, Garber, Goico, Grosserode, Henderson, Hildabrand, Houston, Kiegerl, Kuether, Lane, Moxley, Rubin, Sloan, Smith, Sutton, Tietze, Trimmer, Williams, Wolfe Moore.

On motion of Rep. Vickrey, the House recessed until 8:00 p.m.

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## EVENING SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, pursuant to House Rule 2311, House Rule 101 be suspended to allow the House to meet between midnight and 8:00 a.m. The motion prevailed.

On motion of Rep. Vickrey, the House recessed until 11:00 p.m.

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## NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

On motion of Rep. Vickrey, the House recessed until 12:30 a.m.

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## LATE NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

**CONFERENCE COMMITTEE REPORT**

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 270** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House on Final Action amendments, as follows:

On page 1, by striking all in lines 12 through 34;

By striking all on pages 2 through 51 and inserting:

"New Section 1. (a) For any taxable year commencing after December 31, 2014, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of an individual income taxpayer who purchased food in this state, had federal adjusted gross income for the tax year that did not exceed \$30,615, and meets the qualifications in subsections (b) and (c).

(b) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer and the taxpayer's spouse if married filing jointly, must be domiciled in this state. For purposes of this credit, "domicile" shall not include any correctional facility, or portion thereof, as defined in K.S.A. 75-5202, and amendments thereto, any juvenile correctional facility, or portion thereof, as defined in K.S.A. 38-2302, and amendments thereto, any correctional facility of the federal bureau of prisons located in the state of Kansas, or any city or county jail facility in the state of Kansas.

(c) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer or the taxpayer's spouse if married filing jointly, must be either: (1) A person having a disability, regardless of age; (2) a person without a disability who is 55 years of age or older; or (3) a person without a disability who is

younger than 55 years of age who claims an exemption for one or more dependent children under 18 years of age.

(d) The amount of the credit shall be \$125 for every exemption claimed on the taxpayer's federal income tax return, except that no exemption shall be counted for a dependent unless the dependent is a child under 18 years of age.

(e) The credit allowed under this provision shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. It shall not be refundable and may not be carried forward.

(f) (1) Every taxpayer claiming the credit shall supply the division in support of a claim, reasonable proof of domicile, age and disability.

(2) A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability as defined in subsection (g).

(g) "Disability" means: (1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of this paragraph, with respect to any individual, "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; and "physical or mental impairment" means an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time. For purposes of this paragraph, "blindness" means central visual acuity of  $\frac{20}{200}$  or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of  $\frac{20}{200}$  or less.

(h) The secretary of revenue is hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of this section.

Sec. 2. K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-2925b. (a) Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property

valuation in any municipality increases from the next preceding year due to increases in the assessed valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-6b04 and section 11 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. Except as provided in subsection (g), notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the increase with a majority vote of the governing body by the adoption of a resolution and publishes such vote as provided in subsection (c).

(b) Revenue that, in the current year, is produced and attributable to the taxation of:

(1) New improvements to real property;

(2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;

(3) property located within added jurisdictional territory; or

(4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section, "municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any county, township, municipal university, school district, community college, drainage district or other taxing district. "Municipality" shall not include any such political subdivision or taxing district which receives \$1,000 or less in revenue from property taxes in the current year.

(g) (1) In the case of cities and counties, a any resolution authorizing the adoption of any appropriation or budget under subsection (a) by the governing body otherwise required by this section to adopt any appropriation or budget which provides for funding by property tax revenue in an amount exceeding that of the next preceding year as adjusted pursuant to subsection (a) to reflect changes in the consumer price index, shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the city or county voting at an election called and held thereon, except as otherwise provided. The election shall be called and held at the next regularly scheduled election in the manner provided by K.S.A. 10-120, and amendments thereto, at the next regularly scheduled election to be held in August or November, or may be a mail ballot election, conducted in accordance with K.S.A. 25-

431 et seq., and amendments thereto, or may be a special election called by the city or county. Nothing in this subsection shall prevent any city or county from holding more than one election in any year.

(2) A resolution by the governing body of a city or county otherwise required by the provisions of this section shall not be required to be approved by an election required by subsection (g)(1) under the following circumstances:

(A) The increase in the amount of ad valorem tax to be levied that is greater than the change in the consumer price index is due to:

(i) Costs for new infrastructure or improvements to existing infrastructure to support new improvements to property exempt from property taxation pursuant to the provisions of K.S.A. 79-201 et seq., and amendments thereto, such as hospitals, schools and churches, or exempt additions to or improvements to property so exempt from property taxation;

(ii) bond and interest payments;

(iii) an increase in property subject to taxation as the result of the expiration of any abatement of property from property tax;

(iv) increases in road construction costs when such construction has been once approved by a resolution of the governing body of the city or county;

(v) special assessments;

(vi) judgments levied against the city or county or expenses for legal counsel and for defense of legal actions against the city or county or officers of the city or county;

(vii) new expenditures that are specifically mandated by federal or state law; or

(viii) an increase in property subject to taxation as the result of new construction;

(B) the assessed valuation has declined in one or more of the next preceding three calendar years and the increase in the amount of funding for the budget or appropriation from revenue produced from property taxes does not exceed the average amount of funding from such revenue of the next preceding three calendar years, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year; or

(C) the increase in the amount of ad valorem tax to be levied is less than the change in the consumer price index plus the loss of assessed property valuation that has occurred as the result of legislative action, judicial action or a ruling by the board of tax appeals.

Sec. 3. K.S.A. 2014 Supp. 79-32,110, as amended by section 25 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-32,110.

(a) *Resident Individuals.* Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000 .....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000



(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.6% of Kansas taxable income
Over \$30,000.....	\$780 plus 4.6% of excess over \$30,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.6% of Kansas taxable income
Over \$15,000.....	\$390 plus 4.6% of excess over \$15,000

\$15,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2014 Supp. 79-32,269, and amendments thereto.

(f) Notwithstanding the provisions of subsections (a) and (b), for tax year 2016, and all tax years thereafter, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero.

Sec. 4. K.S.A. 2014 Supp. 79-32,269, as amended by section 28 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-32,269.

(a) (1) (A) Except as provided in subsection (a)(2), commencing with fiscal year 2020, in any fiscal year in which the amount of selected actual state general fund receipts less: ~~(+)~~ increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute; ~~and (ii) increases in the costs of the medicaid program~~ from such fiscal year exceeds the selected actual state general fund receipts for the immediately preceding fiscal year by more than ~~3%~~ 2.5%, the director of legislative research shall certify such excess amount, in dollars, to the secretary of revenue and the director of the budget. Upon receipt of such certified amount, the secretary shall compute the income tax rate reductions to go into effect for the next tax year that would reduce by such certified amount, in dollars, the tax rates during the next tax year according to the provisions of this section. The secretary shall compute any income tax rate reductions so that any excess amount is applied such that an equal number of dollars are used to lower all individual income tax rates in K.S.A. 79-32,110, and amendments thereto. In any such computation by the secretary pursuant to this subsection the resulting income tax rate shall be rounded down to the nearest 0.01%. Based on all such determinations, the secretary shall reduce individual income tax rates prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section;

(B) upon all individual marginal income tax rates being reduced to 0% pursuant to the provisions of subsection (a)(1)(A), rate reduction next shall be applied for the surtax

on corporations applicable to the current tax year by such excess amount. Based on such determination, the secretary shall reduce the surtax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section; and

(C) upon the surtax on corporations being reduced to a rate which when combined with the normal tax rate on corporations is equal to or below the combined surtax and normal tax imposed on national banking associations and state banks or is equal to or below the combined surtax and normal tax imposed on trust companies and savings and loan associations, rate reductions shall be proportionately applied for the tax on corporations, the tax on national banking associations and state banks, and the tax on trust companies and savings and loan associations. Such rate reductions shall be first applied to the surtax until reduced to 0% and then applied to the normal tax for each such tax. Based on such determination, the secretary shall reduce the surtax and the normal tax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, the surtax and normal tax on national banking associations and state banks prescribed by K.S.A. 79-1107, and amendments thereto, and the surtax and normal tax on trust companies and savings and loan associations prescribed by K.S.A. 79-1108, and amendments thereto, as required by this section.

(2) In any fiscal year in which the amount of selected actual state general fund receipts less: ~~(A) increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute; and (B) increases in the costs of the medicaid program~~ for such fiscal year are ~~103%~~ 102.5% or less than the selected actual state general fund receipts from the immediately preceding fiscal year, the director of legislative research shall certify such amount and fact to the secretary of revenue and the director of the budget. Upon receipt of such amount and fact, the secretary of revenue shall not make any adjustment to the income tax rates for that tax year.

(b) The secretary of revenue shall report any reduction in income tax rates prescribed by this section to the chairperson of the assessment and taxation committee of the senate, the chairperson of the taxation committee of the house of representatives and the governor, and shall cause notice of any such reduction to be published in the Kansas register prior to September 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

(c) As used in this section, "selected actual state general fund receipts" means receipts from the following taxes and fees: Individual and corporation income taxes imposed under K.S.A. 79-32,110, and amendments thereto, financial institutions privilege taxes imposed under article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, retail sales taxes imposed under K.S.A. 79-3601 et seq., and amendments thereto, compensating use taxes imposed under K.S.A. 79-3701 et seq., and amendments thereto, cigarette and tobacco product taxes imposed under K.S.A. 79-3301 et seq., and amendments thereto, cereal malt beverage and liquor gallonage taxes imposed under K.S.A. 41-501 et seq., and amendments thereto, liquor enforcement taxes imposed under K.S.A. 79-4101 et seq., and amendments thereto, liquor drink taxes imposed under K.S.A. 79-41a01 et seq., and amendments thereto, corporation franchise taxes imposed under K.S.A. 79-5401, and amendments thereto, annual franchise fees charged pursuant to law and mineral severance taxes imposed under K.S.A. 79-4216 et seq., and amendments thereto.

Sec. 5. K.S.A. 2014 Supp. 79-3602, as amended by section 6 of 2015 Senate

Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the 12<sup>th</sup> grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North Central Association of Colleges and Schools, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate

sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages, ~~candy, dietary supplements, food sold through vending machines, prepared food, soft drinks~~ or tobacco.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal

property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance

agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of

business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller's cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(D) delivery charges; and



- (E) installation charges.
- (2) "Sales or selling price" includes consideration received by the seller from third parties if:
- (A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
  - (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
  - (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
  - (D) one of the following criteria is met:
    - (i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;
    - (ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or
    - (iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.
- (3) "Sales or selling price" shall not include:
- (A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;
  - (B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;
  - (C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;
  - (D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and
  - (E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.
- (mm) "Seller" means a person making sales, leases or rentals of personal property or services.
- (nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.
- (oo) "Sourcing rules" means the rules set forth in K.S.A. 2014 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.
- (pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.
- (qq) "Taxpayer" means any person obligated to account to the director for taxes

collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Intrastate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

~~(hhh) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration.~~

~~(iii) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.~~

~~(jjj)(1) "Prepared food" means any of the following:~~

~~(A) Food sold in a heated state or heated by the seller;~~

~~(B) two or more food ingredients mixed or combined by the seller for sale as a single item; or~~

~~(C) food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.~~

~~(2) "Prepared food" does not include:~~

~~(A) Food that is only cut, repackaged or pasteurized by the seller;~~

~~(B) eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the United States food and drug administration, in chapter 3, part 401.11 of its food code, so as to prevent foodborne illnesses;~~

~~(C) if sold without eating utensils provided by the seller, bakery items, including breads, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or~~

~~(D) food sold by a seller whose primary North American industry classification system, United States, 2002 edition, classification is manufacturing in sector 311, except subsector 3118.~~

~~(III) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products; soy, rice or similar milk substitutes; or greater than 50% of vegetable or fruit juice by volume.~~

~~(mmm) "Dietary supplement" shall have the same meaning ascribed to it as in K.S.A. 79-3606(jjj), and amendments thereto.~~

Sec. 6. K.S.A. 2014 Supp. 79-3603, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, and commencing July 1, 2015, at the rate of ~~6.55%~~ 6.5%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2014 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include ~~prior to January 1, 2020:~~ (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and

whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected ~~prior to January 1, 2020~~; upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except, ~~prior to January 1, 2020~~, laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected ~~prior to January 1, 2020~~; upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise

improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected ~~prior to January 1, 2020,~~ upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected ~~prior to January 1, 2020,~~ upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers ~~prior to January 1, 2020,~~ by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers ~~prior to January 1, 2020,~~ by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers ~~prior to January 1, 2020,~~ which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales

tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section ~~prior to January 1, 2020, and~~

(w) all sales of charitable raffle tickets in accordance with section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section ~~prior to January 1, 2020, and~~

~~(x) commencing July 1, 2016, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 4.95%.~~

Sec. 7. K.S.A. 2014 Supp. 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or



public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the

number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant

to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain

from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2014 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-

3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the

provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction

therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, which can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time

period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled,



screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the

manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral

equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal

income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to

operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this

subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a



misdeemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section

501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule,

powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing,

maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging,

furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to

audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same

from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following

the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be



incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of All American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered

living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall

obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and

amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need; and

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; and

~~(llll) except for subsections (f), (g), (i), (j), (m), (n), (o), (p), (q), (r), (t), (y), (ee), (hh), (jj), (kk), (ll), (nn), (pp), (zz), (aaa), (eee), (fff) or (jjj) or as otherwise provided, the provisions of this section shall not apply after December 31, 2019.~~

Sec. 8. K.S.A. 2014 Supp. 79-3620, as amended by section 8 of Senate Substitute for House Bill 2109, is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue

collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit ~~16.327%~~ 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of ~~6.55%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, and thereafter, the state treasurer shall credit ~~16.327%~~ 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the ~~rates rate~~ of ~~6.55% and 4.95%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191<sup>st</sup> Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary,

and the polygonal-shaped area having Poplar Road as the eastern boundary, 183<sup>rd</sup> Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 9. K.S.A. 2014 Supp. 79-3703, as amended by section 9 of Senate Substitute for House Bill 2109, is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of ~~6.55%, except that commencing July 1, 2016, such rate shall be 4.95% on food and food ingredients as defined by K.S.A. 79-3602, and amendments thereto~~ 6.5%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 10. K.S.A. 2014 Supp. 79-3710, as amended by section 10 of Senate Substitute for House Bill 2109, is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of

amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit ~~16.327%~~ 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of ~~6.55%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, and thereafter, the state treasurer shall credit ~~16.550%~~ 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the ~~rates~~ rate of ~~6.55% and 4.95%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area

having Waverly Road as the eastern boundary, 191<sup>st</sup> Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183<sup>rd</sup> Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 11. Section 11 of 2015 Senate Substitute for House Bill No. 2109 and K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109, 79-32,110, as amended by section 25 of 2015 Senate Substitute for House Bill No. 2109, 79-32,269, as amended by section 28 of 2015 Senate Substitute for House Bill No. 2109, 79-3602, as amended by section 6 of 2015 Senate Substitute for House Bill No. 2109, 79-3603, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109, 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109, 79-3620, as amended by section 8 of 2015 Senate Substitute for House Bill No. 2109, 79-3703, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2109 and 79-3710, as amended by section 10 of 2015 Senate Substitute for House Bill No. 2109 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after 2015 Senate Substitute for House Bill No. 2109 is passed by the Legislature during the 2015 regular session and enacted into law, and the publication of this act in the statute book.;

On page 1, in the title, by striking all in lines 3 through 8; in line 9, by striking all before the period and inserting "rates, low income exclusion, food sales tax credit; sales and compensating use tax, rates, distribution thereof; property tax, elections by cities; amending K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109, 79-32,110, as amended by section 25 of 2015 Senate Substitute for House Bill No. 2109, 79-32,269, as amended by section 28 of 2015 Senate Substitute for House Bill No. 2109, 79-3602, as amended by section 8 of 2015 Senate Substitute for House Bill No. 2109, 79-3603, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109, 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109, 79-3620, as amended by section 8 of 2015 Senate Substitute for House Bill No. 2109, 79-3703, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2109, and 79-3710, as amended by section 10 of 2015 Senate Substitute for House Bill No. 2109 and repealing the existing sections; also repealing Section 11 of 2015 Senate Substitute for House Bill No. 2109 ";

And your committee on conference recommends the adoption of this report.

MARVIN KLEEB

GENE SUELLENTROP

*Conferees on part of House*

LES DONOVAN

CARYN TYSON

*Conferees on part of Senate*

On motion of Rep. Kleeb, the conference committee report on **H Sub for SB 270** was adopted.

Call of the House was demanded.



On roll call, the vote was: Yeas 63; Nays 44; Present but not voting: 0; Absent or not voting: 18.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, W. Carpenter, Concannon, Davis, Dove, Esau, Estes, Ewy, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Highland, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, K. Jones, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Becker, Bollier, Burroughs, Couture-Lovelady, Carmichael, B. Carpenter, Clayton, Corbet, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Henry, Hibbard, Highberger, Hill, Hineman, Jennings, D. Jones, Kahrs, Kuether, Lewis, Lusk, Lusker, Ousley, Patton, Pauls, Rooker, Ruiz, Sawyer, Swanson, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bridges, Campbell, Carlin, Claeys, Clark, Grosserode, Henderson, Hildabrand, Houston, Kiegerl, Lane, Moxley, Phillips, Schroeder, Sloan, Tietze, Trimmer, Whipple.

#### EXPLANATION OF VOTE

MR. SPEAKER: Our comprehensive tax package contained in **H Sub for SB 270** and **S Sub for HB 2109** is carefully crafted to fill a legitimate revenue shortfall while protecting beleaguered Kansas taxpayers. It eliminates most itemized deductions, yet preserves charitable and homeowners exemptions. It closes the tax loophole on certain businesses, and responsibly lowers the tax rate on all hardworking Kansans. It eliminates income tax liability altogether for low-income wage earners, and caps property tax increases absent voter approval. And because this package will yield \$50 million in budget savings, the extra time and cost we have diligently expended this session has returned tenfold benefits for Kansans. We vote "Aye" on **H Sub for SB 270**. — STEVEN R. BRUNK, JOHN J. RUBIN, CHARLES W. MACHEERS, BILL SUTTON, DENNIS HEDKE, JOHN BRADFORD, TONY BARTON, KEVIN JONES, JERRY LUNN

#### INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Barker moved that the House reconsider its adverse action in not adopting the conference committee report on **S Sub for HB 2109**. The motion prevailed.

The question reverted back to the motion of Rep. Kleeb to adopt the conference committee report.

#### CONFERENCE COMMITTEE REPORT

On motion of Rep. Kleeb, the conference committee report on **S Sub for HB 2109** was adopted. (see previous action, HJ p. 1774-1838 for complete conference committee report.)

Call of the House was demanded.

On roll call, the vote was: Yeas 63; Nays 45; Present but not voting: 0; Absent or not voting: 17.

Yeas: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Brunk, B. Carpenter, W. Carpenter, Concannon, Corbet, Davis, Dove, Esau, Estes, Ewy, Garber, Goico, Gonzalez, Hawkins, Hedke, Hemsley, Highland, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, K. Jones, Kelley, Kelly, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Whitmer, Williams.

Nays: Alcalá, Ballard, Becker, Bollier, Bruchman, Burroughs, Couture-Lovelady, Carmichael, Clayton, Curtis, DeGraaf, Dierks, Doll, Edmonds, Finch, Finney, Francis, Frownfelter, Gallagher, Henry, Hibbard, Highberger, Hill, Hineman, Jennings, D. Jones, Kahrs, Kuether, Lewis, Lusk, Lusker, Ousley, Patton, Pauls, Rooker, Ruiz, Sawyer, Schroeder, Swanson, Thompson, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bridges, Campbell, Carlin, Claeys, Clark, Grosserode, Henderson, Hildabrand, Houston, Kiegerl, Lane, Moxley, Phillips, Sloan, Tietze, Trimmer, Whipple.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I am proud to be a Hornet. It is a pleasure and honor to represent Emporia State University and they have a great record to show. However, the fact is, without this bill, ESU faces potential cuts of 32 jobs on Monday and a minimum 6% cut in funding. We must support our universities, our schools, and our districts. Therefore, I vote yes on **S Sub for HB 2109**. – PEGGY MAST

MR. SPEAKER: The fiscal situation in Kansas led us to advocate for policy that would address the business exemptions created by the 2012 tax law. Portions of the current bill are acceptable, but this is not the balanced approach we wanted. The legislative session has gone on long enough and Kansas needs an increased revenue stream to fund the budget. Further cuts or allotments are unacceptable as they endanger essential State and Local services. Our position remains unchanged but in the spirit of compromise; reluctantly, we vote Yes on **S Sub for HB 2109**. – JAMES ERIC TODD, JIM KELLY, KYLE D. HOFFMAN, RONALD W. RYCKMAN SR, MARIO GOICO, BUD ESTES, RICK BILLINGER, LESLIE OSTERMAN, RICH PROEHL, JOE SEIWERT, JOHN L. EWY, SHARON SCHWARTZ, DAN HAWKINS, STEVEN C. JOHNSON, CHUCK SMITH

MR. SPEAKER: I vote yes on **S Sub for HB 2109** in order to protect the solvency of our higher educational institutions for the state of Kansas. This committee report does not address all the possible revenue streams in order to resolve our financial calamity that our state currently faces, however as a representative of the Kansas House, we need to claim responsibility and make certain that we provide funding for our government and its needs. In extreme situations as in these, we need to make certain that we do not jeopardize our citizens, institutions, and our state. – TROY L. WAYMASTER

MR. SPEAKER: I vote no on **S Sub for HB 2109**. As we debated the first tax bill of the session I explained to the House that “I cannot and will not” support any bill that continued to tax my legal assistant, secretary, and receptionist while I pay no income tax on my earnings as a lawyer. The bill does nothing to remedy this unfair absurdity and I therefore vote no on **S Sub for HB 2109**. – JOHN CARMICHAEL

MR. SPEAKER: Kansas is faced with serious financial challenges with few solutions that compel this legislative body of 165 members to find consensus. Because of this great divide and the impending risk of over \$400 million in additional budget allotments, I am compelled to choose the greater good – protecting our core State services from further cuts that would place many vulnerable Kansans at risk. With over \$480 million in cuts within FY2016, this is the only alternative the collective body would support. Raising taxes is the last line of defense. Therefore, I vote yes on **S Sub for HB 2019**. – KRISTEY WILLIAMS, STEVEN ANTHIMEDES

MR. SPEAKER: I vote no on **S Sub for HB 2109** because we are burdening three million more Kansans with higher taxes, just so 330,000 business can continue to pay no state income tax. – TOM SAWYER, JERRY HENRY

MR. SPEAKER: I vote no on **S Sub for HB 2109**. Not only is this the largest tax increase in Kansas history, but it unfairly increases the tax burden on poor, middle class, and working families. Kansans will now pay more for everyday essentials as a result of the increased sales tax rate, while simultaneously paying more in income taxes due to the elimination of itemized deductions. We are literally increasing the cost of living in Kansas on those who can afford it the least. – JOHN WILSON, LOUIS RUIZ, BARBARA BALLARD, ANNIE KUETHER, PAM CURTIS, JARROD OUSLEY, STAN FROWNFEILER, GAIL FINNEY, JOHN ALCALA, VALDENIA C. WINN, TOM BURROUGHS

Mr. Speaker: I vote no on S Sub for HB 2109. The poor and middle class workers should not bear the burden of taxation to keep the business tax exemption. I feel like we are punishing the working poor. I vote no on the largest tax increase in state history, which will be done on the backs of the working poor and middle class. Today is a sad day in the people's house. – Ponka-We Victors

#### **REPORT ON ENGROSSED BILLS**

**S Sub for HB 2094** reported correctly engrossed June 11, 2015.

**HB 2010** reported correctly re-engrossed June 11, 2015.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m., Friday, June 12, 2015.

# Journal of the House

EIGHTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, June 12, 2015, 2:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 108 members present.

Reps. Bridges, Campbell, Carlin, W. Carpenter, Claeys, Concannon, Grosserode, Hildabrand, Houston, Kiegerl, Lane, Thimesch, Tietze, Todd, Trimmer and Whipple were excused on excused absence by the Speaker.

Rep. Moxley was absent.

Prayer by Chaplain Brubaker:

All-powerful and knowing God,  
I do want to thank You for the progress  
that has been made –  
and for helping our leaders in their decisions,  
and being able to stay alive and awake,  
albeit maybe not so alert and enthusiastic.  
I understand there is still a need  
for Your wisdom and help today  
on the other side of the Jordan.  
Please send Your spirit of wisdom  
and show them the path to take.  
Send Your spirit of revelation to help them understand  
what they haven't been able to figure out.  
This I request and plead in confidence and courage,  
in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Ward.

On motion of Rep. Vickrey, the House recessed until 5:00 p.m.

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LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

## MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for SB 270**.

On motion of Rep. Vickrey, the House recessed until 6:00 p.m.

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#### EVENING SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2135**.  
Announcing adoption of **SCR 1607**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2135**.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2135** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 14 through 36;

By striking all on pages 2 through 489;

On page 490, by striking all in lines 1 through 18; following line 18 by inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2016, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) This act shall not be subject to the provisions of K.S.A. 75-6702(a), and amendments thereto.

Sec. 2.

#### DEPARTMENT OF ADMINISTRATION

(a) (1) Notwithstanding the provisions of K.S.A. 75-3722, 75-6704, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2016, the director of the budget shall continuously monitor the status of the state general fund with regard to estimated and actual revenues and approved and actual expenditures and demand transfers: *Provided*, That periodically, the director of the budget shall estimate the amount of the unencumbered ending balance of moneys in the state general fund for fiscal year 2016 and the total amount of anticipated expenditures, demand transfers and encumbrances of moneys in the state general fund for fiscal year 2016: *Provided further*; That if the amount of such unencumbered ending balance in the state general fund is less than \$100,000,000, the director of the budget: (A) Shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund appropriated for fiscal year 2016 for any agency of the executive branch

of state government that are not required to be expended or encumbered for the fiscal year ending June 30, 2016; and (B) shall certify each such amount: *And provided further*; That, during fiscal year 2016, the director of the budget shall certify each amount appropriated from the state general fund, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *And provided further*; That, during fiscal year 2016, the director of the budget shall certify each amount appropriated from each special revenue fund, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*; That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*; That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall not exceed \$100,000,000.

(b) The provisions of this section shall not apply to the legislature or any agency of the legislative branch of state government; or the judicial branch or any agency of the judicial branch of state government.

(c) The provisions of this section shall not apply to: (1) Any item of appropriation for debt service for payments pursuant to contractual bond obligations; (2) any item of appropriation for employer contributions for the employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto; (3) any item of appropriation for the department of education, except the provisions of this section shall apply to the operating expenditures (including official hospitality) account of the state general fund of the department of education; or (4) any demand transfer to the school district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 1 through 11; following line 11, by inserting the following:

"AN ACT making and concerning appropriations for the fiscal year ending June 30, 2016, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing.";

And your committee on conference recommends the adoption of this report.

TY MASTERSON

JIM DENNING

LAURA KELLY

*Conferees on part of Senate*

RONALD RYCKMAN

SHARON SCHWARTZ

JERRY HENRY

*Conferees on part of House*

On motion of Rep. Ryckman, the conference committee report on **S Sub for HB 2135** was adopted.

On roll call, the vote was: Yeas 102; Nays 0; Present but not voting: 0; Absent or not voting: 23.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carmichael, B. Carpenter, Clark, Clayton, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kuether, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schwab, Schwartz, Seiwert, Sloan, Smith, Sutton, Swanson, Thompson, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Campbell, Carlin, W. Carpenter, Claeys, Concannon, Goico, Grosserode, Hildabrand, Hill, Houston, Kiegerl, Kleeb, Lane, Moxley, Schroeder, Suellentrop, Thimesch, Tietze, Todd, Trimmer, Whipple, Wilson.

## **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Vickrey, **SCR 1607** A CONCURRENT RESOLUTION relating to the adjournment of the Senate and House of Representatives for a period of time during the 2015 regular session of the legislature, was introduced and adopted.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Friday, June 26, 2015.

# Journal of the House

EIGHTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, June 26, 2015, 10:00 a.m.

The House met pursuant to **SCR 1607** with Speaker Merrick in the chair.

The roll was called with 109 members present.

Reps. Doll, Estes, Francis, Hawkins, Hemsley, Hildabrand, Hineman, Kiegerl, Kuether, Lusker, Proehl, Ryckman, Sr., Schwab, Trimmer, Williams and Wilson were excused on excused absence by the Speaker.

Prayer by Rep. Houston:

Great Is thy faithfulness, O Lord our father.

All we have needed you have provided and we are grateful.

Thank you for allowing us to gather in the House of Representatives once again to finish the work that has been set before us.

Thank you for the opportunity to serve the great state of Kansas and the constituents of our districts.

As we move forward today to finish the work that has been set before us, we ask for your blessing upon each of these representatives and for wisdom and guidance, so we will do those things that are pleasing in your sight and beneficial to our state.

This we pray in Christ's name. Amen.

The Pledge of Allegiance was led by Rep. Henry.

## MESSAGES FROM THE GOVERNOR

**HB 2048, S Sub for HB 2281** approved on June 12, 2015.

Also, **HB 2010, S Sub for HB 2094, S Sub for HB 2109, S Sub for HB 2135** approved on June 16, 2015

## COMMUNICATIONS FROM STATE OFFICERS

From Alan D. Conroy, Executive Director, Kansas Employees Retirement System (KPERS), Annual Report regarding KPERS investments in Sudan, June 30, 2015.

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A.50-628, annual report for 2014 of the Consumer Protection & Antitrust Division.



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

On motion of Rep. Vickrey, the House recessed until 11:00 a.m..

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#### LATE MORNING SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2142**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2142**.

#### CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2142** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking lines 6 through 36;

By striking all on pages 2 through 13;

On page 14, by striking lines 1 and 2; following line 2, by inserting:

"Section 1. K.S.A. 2014 Supp. 79-2925b, as amended by section 2 of 2015 House Substitute for Senate Bill No. 270, is hereby amended to read as follows: 79-2925b. (a) Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property valuation in any municipality increases from the next preceding year due to increases in the assessed valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-6b04 and section 11 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. Except as provided in subsection (g), notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the increase with a majority

vote of the governing body by the adoption of a resolution and publishes such vote as provided in subsection (c).

(b) Revenue that, in the current year, is produced and attributable to the taxation of:

(1) New improvements to real property;

(2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;

(3) property located within added jurisdictional territory; or

(4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section, "municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any county, township, municipal university, school district, community college, drainage district or other taxing district. "Municipality" shall not include any such political subdivision or taxing district which receives \$1,000 or less in revenue from property taxes in the current year.

(g) On and after January 1, 2018: (1) In the case of cities and counties, any resolution by the governing body otherwise required by this section to adopt any appropriation or budget which provides for funding by property tax revenue in an amount exceeding that of the next preceding year as adjusted pursuant to subsection (a) to reflect changes in the consumer price index, shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the city or county voting at an election called and held thereon, except as otherwise provided. The election shall be called and held in the manner provided by K.S.A. 10-120, and amendments thereto, at the next regularly scheduled election to be held in August or November, or may be a mail ballot election, conducted in accordance with K.S.A. 25-431 et seq., and amendments thereto, or may be a special election called by the city or county. Nothing in this subsection shall prevent any city or county from holding more than one election in any year.

(2) A resolution by the governing body of a city or county otherwise required by the provisions of this section shall not be required to be approved by an election required by subsection (g)(1) under the following circumstances:

(A) The increase in the amount of ad valorem tax to be levied that is greater than the change in the consumer price index is due to:

(i) Costs for new infrastructure or improvements to existing infrastructure to support new improvements to property exempt from property taxation pursuant to the provisions of K.S.A. 79-201 et seq., and amendments thereto, such as hospitals, schools and churches, or exempt additions to or improvements to property so exempt from

property taxation;

- (ii) bond and interest payments;
  - (iii) an increase in property subject to taxation as the result of the expiration of any abatement of property from property tax;
  - (iv) increases in road construction costs when such construction has been once approved by a resolution of the governing body of the city or county;
  - (v) special assessments;
  - (vi) judgments levied against the city or county or expenses for legal counsel and for defense of legal actions against the city or county or officers of the city or county;
  - (vii) new expenditures that are specifically mandated by federal or state law; or
  - (viii) an increase in property subject to taxation as the result of new construction;
- (B) the assessed valuation has declined in one or more of the next preceding three calendar years and the increase in the amount of funding for the budget or appropriation from revenue produced from property taxes does not exceed the average amount of funding from such revenue of the next preceding three calendar years, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year; or
- (C) the increase in the amount of ad valorem tax to be levied is less than the change in the consumer price index plus the loss of assessed property valuation that has occurred as the result of legislative action, judicial action or a ruling by the board of tax appeals.

Sec. 2. K.S.A. 2014 Supp. 79-2925b, as amended by section 2 of 2015 House Substitute for Senate Bill No. 270 and 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all following "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "taxation; reconciling amendments to certain statutes; amending K.S.A. 2014 Supp. 79-2925b, as amended by section 2 of 2015 House Substitute for Senate Bill No. 270 and repealing the existing section; also repealing K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109";

And your committee on conference recommends the adoption of this report.

LES DONOVAN

CARYN TYSON

TOM HOLLAND

*Conferees on part of Senate*

MARVIN KLEEB

GENE SUELLENTROP

TOM SAWYER

*Conferees on part of House*

On motion of Rep. Kleeb, the conference committee report on **HB 2142** was adopted. On roll call, the vote was: Yeas 85; Nays 23; Present but not voting: 0; Absent or not voting: 17.

Yeas: Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bridges, Brunk, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W.

Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Davis, Dierks, Dove, Edmonds, Esau, Ewy, Finch, Gallagher, Goico, Gonzalez, Grosserode, Hedke, Hibbard, Highberger, Highland, Hill, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kelley, Kelly, Kleeb, Lewis, Lunn, Lusk, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Read, Rhoades, Rooker, Rubin, Ryckman, Sawyer, Schroeder, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Vickrey, Waymaster, Whitmer, Wolfe Moore.

Nays: Alcala, Barton, Bradford, Bruchman, Burroughs, Curtis, DeGraaf, Finney, Frownfelter, Garber, Henderson, Henry, Houston, Kahrs, Lane, O'Brien, Peck, Ruiz, Sutton, Victors, Ward, Whipple, Winn.

Present but not voting: None.

Absent or not voting: Doll, Estes, Francis, Hawkins, Hemsley, Hildabrand, Hineman, Kiegerl, Kuether, Lusker, Proehl, Ryckman Sr., Scapa, Schwab, Trimmer, Williams, Wilson.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes on **HB 2142** in order to make a technical fix which clarifies legislative intent. This vote should not be misconstrued as support for the underlying bill, but as a vote to protect cities and counties from an undue burden created by a rushed legislative process. — KATHY WOLFE MOORE, DENNIS "BOOG" HIGHBERGER, BARBARA W. BALLARD, TOM SAWYER, NANCY LUSK, CAROLYN BRIDGES, ANNIE TIETZE, JOHN CARMICHAEL, SYDNEY CARLIN

MR. SPEAKER: I vote no on **HB 2142**. I oppose the property tax lid in principle, whether it goes into effect next week or in three years. State government should not dictate to local governments how to balance their budgets. City and county governments are closest to their constituents and are best able to gauge the needs of their community. State intrusion into local government is not only unwarranted, but disrespectful to local leaders. — LOUIS RUIZ, JOHN ALCALA, PAM CURTIS

#### REPORT ON ENROLLED BILLS

**HB 2010, S Sub for HB 2094, S Sub for HB 2109, S Sub for HB 2135** reported correctly enrolled, properly signed and presented to the Governor on June 16, 2015.

The hour for final adjournment having arrived, Speaker Merrick said, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2015 session, I do now declare the House adjourned sine die."

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.



**MESSAGE FROM THE SENATE**

Announcing the Senate herewith transmits the veto message from the Governor on **House Substitute for SB 112**.

AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, as amended by section 2 of 2015 House Bill No. 2231, 68-2320, 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, 74-8963, 74-99b34, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b34a.

Which was received on June 16, 2015 and was read before the Senate on June 26, 2015.

*Message to the Legislature of the State of Kansas:*

I want to thank every member of the Kansas Legislature for their hard work during the 2015 Session. I greatly appreciate their efforts to control spending by addressing our three expenditure drivers: education, Medicaid, and KPERs.

This two-year budget will continue to fund the core services of state government to July 1, 2017. I will work to find efficiencies to limit the size of state government while protecting core services vital to the citizens of Kansas.

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill No. 112 with my signature approving the bill, except for the items enumerated below.

Kansas Board of Regents

SGF Transfer to Postsecondary Education Performance – Based Incentives Fund

The Board of Regents offered as a line-item veto – and I have vetoed – approximately \$1.9 million in unspent funding in both FY 16 and 17 from a post-secondary education performance-based incentives fund.

Sections 142(f) and 143(f) are vetoed in their entirety.

This new program grants funds to postsecondary institutions for the GED Accelerator for students who wish to complete their GED and receive an educational accreditation. The FY 2015 transfer of \$1.9 million from the State General Fund will finance the program for several years. Therefore, the transfer can be suspended in FY 2016 and FY 2017 to preserve State General Fund resources.

SAM BROWNBACK  
*Governor*

Dated: June 16, 2015

There being no action on **House Substitute for SB 112**, the line item vetoes were sustained.

**REPORT ON ENGROSSED BILLS**

**HB 2142** reported correctly engrossed on June 26, 2015.

**REPORT ON ENROLLED BILLS**

**HB 2142** reported correctly enrolled, properly signed and presented to the Governor on June 29, 2015.

**MESSAGES FROM THE GOVERNOR**

**HB 2142** approved on June 30, 2015.







TITLE AND HISTORY  
OF  
HOUSE BILLS  
AND  
HOUSE RESOLUTIONS

(1911)

## TITLE AND HISTORY OF HOUSE BILLS

- H 2001** Bill by Representative Brunk  
**Property taxation; distribution of taxes paid under protest.**  
 01/12/2015 House—Prefiled for Introduction on Tuesday, December 02, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Taxation—HJ 54
- H 2002** Bill by Representative Sloan  
**Sexual exploitation of a child; definition of "sexually explicit conduct".**  
 01/12/2015 House—Prefiled for Introduction on Thursday, December 04, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Judiciary—HJ 54  
 01/26/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N  
 02/13/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Judiciary—HJ 233  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on  
 Appropriations—HJ 306  
 03/23/2015 House—Withdrawn from Committee on Appropriations; Rereferred to  
 Committee on Judiciary—HJ 486
- H 2003** Bill by Representative Houser  
**Limiting annexation of non-adjointing land in cities.**  
 01/12/2015 House—Prefiled for Introduction on Tuesday, December 16, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Local Government—HJ 54  
 01/14/2015 House—Hearing: Tuesday, January 20, 2015, 1:30 PM Room 281N  
 01/29/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Local Government—HJ 136  
 02/04/2015 House—Committee of the Whole - Be passed as amended—HJ 163  
 02/05/2015 House—Final Action - Passed as amended; Yea: 116 Nay: 2—HJ 171  
 02/05/2015 Senate—Received and Introduced—SJ 78  
 02/06/2015 Senate—Referred to Committee on Local Government—SJ 86  
 02/13/2015 Senate—Hearing: Tuesday, February 17, 2015, 9:30 AM Room 159-S  
 03/24/2015 Senate—Committee Report recommending bill be passed as amended  
 by Committee on Local Government—SJ 378  
 03/31/2015 Senate—Withdrawn from Calendar; Referred to Committee on Ways  
 and Means—SJ 417  
 03/31/2015 Senate—Withdrawn from Committee on Ways and Means and re-  
 referred to Committee of the Whole—SJ 418  
 04/01/2015 Senate—Committee of the Whole - Motion to divide the question -  
 offered by Senator LaTurner.—SJ 449  
 04/01/2015 Senate—Committee of the Whole - Part 1 by Senator LaTurner was  
 adopted. Yea: 20 Nay: 16—SJ 449  
 04/01/2015 Senate—Committee of the Whole - Senator La Turner withdrew his  
 motion to divide the question.—SJ 449  
 04/01/2015 Senate—Committee of the Whole - Be passed as amended—SJ 449  
 04/02/2015 Senate—Final Action - Passed as amended; Yea: 24 Nay: 11—SJ 456  
 04/02/2015 House—Nonconcurrent with amendments; Conference Committee

requested; appointed Representative Huebert, Representative Phillips and Representative Alcalá as conferees  
 04/02/2015 Senate—Motion to accede adopted; Senator Pyle, Senator LaTurner and Senator Faust-Goudeau appointed as second conferees—SJ 519  
 05/21/2015 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 1—SJ 766  
 05/26/2015 House—Conference Committee Report was adopted; Yea: 106 Nay: 7—HJ 906  
 05/29/2015 House—Enrolled and presented to Governor on Friday, May 29, 2015—HJ 949  
 06/08/2015 House—Approved by Governor on Monday, 08 June 2015—HJ 1735

**H 2004** Bill by Representatives Hildabrand, Kiegerl, McPherson  
**Kansas right to try act.**

01/12/2015 House—Prefiled for Introduction on Friday, December 19, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Health and Human Services—HJ 54  
 01/21/2015 House—Hearing: Thursday, January 29, 2015, 1:30 PM Room 546S  
 02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 211  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2005** Bill by Legislative Post Audit Committee

**Judicial branch; relating to court fees, docket fees and court costs; relating to dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch.**

01/12/2015 House—Prefiled for Introduction on Friday, December 19, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Appropriations—HJ 54  
 01/23/2015 House—Hearing: Tuesday, January 27, 2015, 9:00 AM Room 112N  
 01/27/2015 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 127  
 02/02/2015 House—Committee of the Whole - Be passed—HJ 144  
 02/03/2015 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 150  
 02/03/2015 Senate—Received and Introduced—SJ 57  
 02/04/2015 Senate—Referred to Committee on Ways and Means—SJ 60  
 02/25/2015 Senate—Hearing: Wednesday, February 11, 2015, 10:30 AM Room 548-S  
 03/23/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 326  
 05/05/2015 Senate—Committee of the Whole - Be passed as amended—SJ 558  
 05/05/2015 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 8—SJ 560  
 05/06/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Ryckman, Representative Barker and Representative Henry as conferees—HJ 717  
 05/07/2015 Senate—Motion to accede adopted; Senator Masterson, Senator King

- and Senator Kelly appointed as conferees—SJ 570
- 05/19/2015 Senate—Conference Committee Report agree to disagree adopted; Senator Masterson, Senator King and Senator Kelly appointed as second conferees—SJ 727
- 05/20/2015 House—Conference Committee Report agree to disagree adopted; Representative Ryckman, Representative Barker and Representative Henry appointed as second conferees—HJ 822
- 05/30/2015 Senate—Conference Committee Report not adopted; Yea: 18 Nay: 21—SJ 808
- 05/31/2015 Senate—Substitute Motion to Not Adopt the CCR and a new conference committee be appointed - Motion failed Yea: 11 Nay: 28—SJ 819
- 05/31/2015 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 14—SJ 819
- 06/01/2015 House—Conference Committee Report was adopted; Yea: 88 Nay: 26—HJ 1033
- 06/04/2015 House—Enrolled and presented to Governor on Thursday, June 04, 2015—HJ 1644
- 06/04/2015 House—Approved by Governor on Thursday, 04 June 2015—HJ 1611

**H 2006**

Bill by Representative Goico

**Disabled veterans; public parking facility; no charge.**

- 01/12/2015 House—Prefiled for Introduction on Monday, December 22, 2014
- 01/12/2015 House—Introduced—HJ 50
- 01/13/2015 House—Referred to Committee on Local Government—HJ 54
- 01/22/2015 House—Withdrawn from Committee on Local Government; Referred to Committee on Veterans, Military and Homeland Security—HJ 110
- 01/22/2015 House—Hearing: Thursday, January 29, 2015, 9:00 AM Room 152S
- 02/06/2015 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 177
- 02/11/2015 House—Committee of the Whole - Be passed as amended—HJ 210
- 02/12/2015 House—Final Action - Passed as amended; Yea: 121 Nay: 1—HJ 217
- 02/12/2015 Senate—Received and Introduced—SJ 105
- 02/13/2015 Senate—Referred to Committee on Transportation—SJ 112
- 02/26/2015 Senate—Hearing: Thursday, March 05, 2015, 8:30 AM Room 546-S
- 03/10/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 238
- 03/18/2015 Senate—Committee of the Whole - Be passed as amended—SJ 292
- 03/19/2015 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 296
- 03/23/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 497
- 03/24/2015 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 369
- 03/24/2015 House—Representative Goico replaces Representative Proehl on the Conference Committee—HJ 512
- 03/24/2015 House—Representative Osterman replaces Representative Ryckman Sr. on the Conference Committee—HJ 512
- 03/24/2015 House—Representative Lane replaces Representative Lusker on the Conference Committee—HJ 512

(SJ & HJ Nos. refer to 2015 Senate and House Journals)

03/31/2015 House—Concurred with amendments in conference; Yea: 115 Nay: 0—HJ 570  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

**H 2007** Bill by Representatives Dove, Bradford, Campbell, Clayton, Rooker  
**Substitute for HB 2007 by Committee on Federal and State Affairs – Creating a law enforcement mutual aid region for critical incidents.**

01/12/2015 House—Prefiled for Introduction on Monday, December 29, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Federal and State Affairs—HJ 54  
 01/16/2015 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Corrections and Juvenile Justice—HJ 73  
 01/20/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Rereferred to Committee on Federal and State Affairs—HJ 76  
 01/21/2015 House—Hearing: Monday, January 26, 2015, 9:00 AM Room 346S  
 01/30/2015 House—Hearing: Thursday, February 05, 2015, 9:00 AM Room 346S  
 03/04/2015 House—Hearing: Thursday, March 05, 2015, 9:00 AM Room 346S  
 03/09/2015 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 324

**H 2008** Bill by Legislative Post Audit Committee  
**Repealing school district audit teams and school district performance audit requirements.**

01/12/2015 House—Prefiled for Introduction on Tuesday, December 30, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Education—HJ 54  
 01/21/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 112N  
 01/29/2015 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 136  
 02/04/2015 House—Committee of the Whole - Be passed as amended—HJ 163  
 02/05/2015 House—Final Action - Passed as amended; Yea: 118 Nay: 0—HJ 171  
 02/05/2015 Senate—Received and Introduced—SJ 78  
 02/06/2015 Senate—Referred to Committee on Education—SJ 85

**H 2009** Bill by Legislative Post Audit Committee  
**Authorizing the division of post audit to background check contractors and other workers.**

01/12/2015 House—Prefiled for Introduction on Tuesday, December 30, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Judiciary—HJ 54  
 01/14/2015 House—Hearing: Tuesday, January 20, 2015, 3:30 PM Room 112N  
 01/23/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 114  
 02/02/2015 House—Committee of the Whole - Be passed as amended—HJ 144  
 02/03/2015 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 151  
 02/03/2015 Senate—Received and Introduced—SJ 57

02/04/2015 Senate—Referred to Committee on Ways and Means—SJ 60  
 02/26/2015 Senate—Hearing: Wednesday, March 04, 2015, 10:30 AM Room 548-S  
 03/18/2015 Senate—Committee Report recommending bill be passed by Committee  
 on Ways and Means—SJ 292  
 03/24/2015 Senate—Committee of the Whole - Be passed—SJ 367  
 03/25/2015 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 382  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015  
 —HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

**H 2010** Bill by Legislative Post Audit Committee  
**Conducting information technology audits.**  
 01/12/2015 House—Prefiled for Introduction on Tuesday, December 30, 2014  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Appropriations—HJ 54  
 01/23/2015 House—Hearing: Tuesday, January 27, 2015, 9:00 AM Room 112N  
 01/27/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Appropriations—HJ 127  
 02/12/2015 House—Committee of the Whole - Be passed as amended—HJ 222  
 02/13/2015 House—Final Action - Passed as amended; Yea: 115 Nay: 0—HJ 230  
 02/16/2015 Senate—Received and Introduced—SJ 115  
 02/17/2015 Senate—Referred to Committee on Ways and Means—SJ 122  
 02/26/2015 Senate—Hearing: Thursday, March 05, 2015, 10:30 AM Room 548-S  
 03/11/2015 Senate—Committee Report recommending bill be passed as amended  
 by Committee on Ways and Means—SJ 246  
 03/19/2015 Senate—Committee of the Whole - Be passed as amended—SJ 298  
 03/19/2015 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0  
 —SJ 304  
 03/23/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Ryckman, Representative Schwartz  
 and Representative Henry as conferees—HJ 497  
 03/24/2015 Senate—Motion to accede adopted; Senator Masterson, Senator  
 Denning and Senator Kelly appointed as conferees—SJ 369  
 06/10/2015 House—Concurred with amendments in conference; Yea: 111 Nay: 0—  
 HJ 1740  
 06/26/2015 House—Enrolled and presented to Governor on Tuesday, June 16, 2015  
 —HJ 2010  
 06/26/2015 House—Approved by Governor on Tuesday, 16 June 2015—HJ 1902

**H 2011** Bill by Representative Finney  
**Enacting the cannabis compassion and care act.**  
 01/12/2015 House—Prefiled for Introduction on Friday, January 02, 2015  
 01/12/2015 House—Introduced—HJ 50  
 01/13/2015 House—Referred to Committee on Health and Human Services—HJ 54

**H 2012** Bill by Representative Ward  
**Enacting the Kansas working families pay raise act.**  
 01/12/2015 House—Prefiled for Introduction on Monday, January 05, 2015

01/12/2015 House—Introduced—HJ 51

01/13/2015 House—Referred to Committee on Appropriations—HJ 54

**H 2013** Bill by Representative Finney  
**Creating the commercial driver's license test fee fund; remitting examination fees.**

01/12/2015 House—Prefiled for Introduction on Thursday, January 08, 2015  
 01/12/2015 House—Introduced—HJ 51  
 01/13/2015 House—Referred to Committee on Transportation—HJ 54  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 582N  
 02/12/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—HJ 222  
 02/17/2015 House—Final Action - Passed; Yea: 88 Nay: 33—HJ 246  
 02/17/2015 Senate—Received and Introduced—SJ 123  
 02/18/2015 Senate—Referred to Committee on Transportation—SJ 125  
 02/26/2015 Senate—Hearing: Thursday, March 05, 2015, 8:30 AM Room 546-S  
 03/17/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 264  
 03/24/2015 Senate—Committee of the Whole - Be passed as amended—SJ 370  
 03/25/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 382  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 558  
 03/30/2015 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 414  
 04/02/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 475  
 04/30/2015 House—Conference Committee Report was adopted; Yea: 89 Nay: 33—HJ 634  
 05/05/2015 House—Enrolled and presented to Governor on Tuesday, May 05, 2015—HJ 705  
 05/08/2015 House—Approved by Governor on Thursday, 07 May 2015—HJ 767

**H 2014** Bill by Representative Sloan  
**Authorizing the Kansas water office, with approval of the Kansas water authority, to establish the clean drinking water fee by rules and regulations and imposing a cap on such fee.**

01/12/2015 House—Prefiled for Introduction on Thursday, January 08, 2015  
 01/12/2015 House—Introduced—HJ 51  
 01/13/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 54  
 01/20/2015 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Agriculture and Natural Resources Budget—HJ 76  
 02/13/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 142-S

**H 2015** Bill by Joint Corrections and Juvenile Justice Oversight  
**Juvenile offenders; prohibiting placement in a juvenile correctional facility for**

**a current misdemeanor adjudication.**

01/13/2015 House—Introduced—HJ 54

01/14/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 59

01/14/2015 House—Hearing: Thursday, January 22, 2015, 1:30 PM Room 152S

02/20/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 267

**H 2016** Bill by Health and Human Services**Amending the school sports head injury prevention act.**

01/14/2015 House—Introduced—HJ 59

01/15/2015 House—Referred to Committee on Health and Human Services—HJ 63

01/21/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 546S

02/25/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 295

03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2017** Bill by Corrections and Juvenile Justice**Amending the crime of aggravated battery, concerning strangulation.**

01/14/2015 House—Introduced—HJ 60

01/15/2015 House—Referred to Committee on Judiciary—HJ 63

01/16/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Corrections and Juvenile Justice—HJ 73

01/21/2015 House—Hearing: Monday, January 26, 2015, 1:30 PM Room 152S

02/03/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 152

03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2018** Bill by Corrections and Juvenile Justice**Images of children in a state of nudity.**

01/14/2015 House—Introduced—HJ 60

01/15/2015 House—Referred to Committee on Judiciary—HJ 63

01/16/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Corrections and Juvenile Justice—HJ 73

01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 152S

02/20/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 267

**H 2019** Bill by Vision 2020**Property tax levy for the Kansas educational building fund.**

01/14/2015 House—Introduced—HJ 60

01/15/2015 House—Referred to Committee on Taxation—HJ 63

01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 582

**H 2020** Bill by Vision 2020**Facilitating the process for military service member's dependents to receive services under state home and community based services programs.**



01/14/2015 House—Introduced—HJ 60  
 01/15/2015 House—Referred to Committee on Health and Human Services—HJ 63

- H 2021** Bill by Vision 2020  
**Allowing retiring KHP troopers and officers to convert certain unused leave for use to continue state health plan benefits.**  
 01/14/2015 House—Introduced—HJ 60  
 01/15/2015 House—Referred to Committee on Insurance—HJ 63  
 01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 152S
- H 2022** Bill by Judiciary  
**Qualifications for office of sheriff.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Judiciary—HJ 72  
 01/22/2015 House—Hearing: Tuesday, January 27, 2015, 3:30 PM Room 112N  
 02/06/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 177  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2023** Bill by Judiciary  
**Legislative review of exceptions to disclosure of public records.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Judiciary—HJ 72  
 01/21/2015 House—Hearing: Wednesday, January 21, 2015, 3:30 PM Room 112N  
 01/27/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 127  
 01/28/2015 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 129  
 02/02/2015 House—Committee of the Whole - Be passed—HJ 145  
 02/03/2015 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 151  
 02/03/2015 Senate—Received and Introduced—SJ 57  
 02/04/2015 Senate—Referred to Committee on Judiciary—SJ 60  
 03/06/2015 Senate—Hearing: Monday, March 09, 2015, 10:30 AM Room 346-S  
 03/11/2015 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 245  
 03/19/2015 Senate—Committee of the Whole - Be passed—SJ 297  
 03/19/2015 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 304  
 03/24/2015 House—Enrolled and presented to Governor on Tuesday, March 24, 2015—HJ 521  
 03/31/2015 House—Approved by Governor on Monday, 30 March 2015—HJ 568
- H 2024** Bill by Judiciary  
**Domestic battery; sentencing.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Judiciary—HJ 72  
 01/22/2015 House—Hearing: Monday, January 26, 2015, 3:30 PM Room 112-N-CANCELLED  
 01/26/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N

- 02/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 264  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307

**H 2025** Bill by Judiciary**Peer support counseling sessions for emergency services personnel and law enforcement personnel, confidentiality of communications; also amending the Kansas law enforcement training act.**

- 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Judiciary—HJ 72  
 01/22/2015 House—Hearing: Tuesday, January 27, 2015, 3:30 PM Room 112N  
 02/03/2015 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 152  
 02/11/2015 House—Committee of the Whole - Be passed—HJ 210  
 02/12/2015 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 217  
 02/12/2015 Senate—Received and Introduced—SJ 105  
 02/13/2015 Senate—Referred to Committee on Judiciary—SJ 112  
 03/06/2015 Senate—Hearing: Monday, March 09, 2015, 10:30 AM Room 346-S  
 03/11/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 245  
 03/18/2015 Senate—Committee of the Whole - Be passed as amended—SJ 292  
 03/19/2015 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 296  
 03/24/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 505  
 03/24/2015 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 369  
 05/11/2015 Senate—Senator Pettey replaces Senator Haley on the Conference Committee—SJ 598  
 05/19/2015 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 732  
 05/21/2015 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 826  
 05/29/2015 House—Enrolled and presented to Governor on Friday, May 29, 2015—HJ 949  
 06/08/2015 House—Approved by Governor on Monday, 08 June 2015—HJ 1735

**H 2026** Bill by Federal and State Affairs**Establishing requirements and fiduciary duties for pharmacy benefits managers under the state health care benefits program.**

- 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Insurance—HJ 72

**H 2027** Bill by Education**Requiring school district and state department of education audits; creating the efficient operation of schools task force.**

- 01/15/2015 House—Introduced—HJ 62

01/16/2015 House—Referred to Committee on Education—HJ 72  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 112-N-  
 CANCELLED

- H 2028** Bill by Education  
**Creating the Kansas education standards study commission.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Education—HJ 72  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 112N
- H 2029** Bill by Agriculture and Natural Resources  
**Identification of domesticated deer.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Agriculture and Natural Resources  
 —HJ 72  
 01/22/2015 House—Hearing: Tuesday, January 27, 2015, 3:30 PM Room 346S  
 02/11/2015 House—Committee Report recommending bill be passed and placed on  
 Consent Calendar by Committee on Agriculture and Natural Resources—  
 HJ 210  
 02/16/2015 House—Final Action - Passed; Yea: 114 Nay: 0—HJ 237  
 02/16/2015 Senate—Received and Introduced—SJ 115  
 02/17/2015 Senate—Referred to Committee on Agriculture—SJ 122
- H 2030** Bill by Agriculture and Natural Resources  
**Amendments to the Kansas pet animal act.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Agriculture and Natural Resources  
 —HJ 72  
 01/22/2015 House—Hearing: Monday, January 26, 2015, 3:30 PM Room 346S  
 02/10/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Agriculture and Natural Resources—HJ 192  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2031** Bill by Corrections and Juvenile Justice  
**School district plan addressing child sexual abuse; establishing Erin's law.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 72  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 152S  
 02/20/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Corrections and Juvenile Justice—HJ 270  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on  
 Appropriations—HJ 306
- H 2032** Bill by Health and Human Services  
**Relating to diabetes information reporting.**  
 01/15/2015 House—Introduced—HJ 62

01/16/2015 House—Referred to Committee on Health and Human Services—HJ 72  
 02/03/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 546S  
 02/13/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Health and Human Services—HJ 233  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

- H 2033** Bill by Transportation  
**Speed limit increase when passing on two lane highways.**  
 01/16/2015 House—Introduced—HJ 71  
 01/20/2015 House—Referred to Committee on Transportation—HJ 76  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 582N  
 02/26/2015 House—Withdrawn from Committee on Transportation; Referred to  
 Committee on Appropriations—HJ 307
- H 2034** Bill by Education  
**Reducing negotiable terms and conditions in the professional negotiations act.**  
 01/16/2015 House—Introduced—HJ 71  
 01/20/2015 House—Referred to Committee on Education—HJ 76  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 1:30 PM Room 112N  
 02/11/2015 House—Committee Report recommending bill be passed by Committee  
 on Education—HJ 211  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2035** Bill by Education  
**Amending the tax credit for low income students scholarship program act.**  
 01/16/2015 House—Introduced—HJ 72  
 01/20/2015 House—Referred to Committee on Education—HJ 76
- H 2036** Bill by Vision 2020  
**Electricity and the sale of renewable energy.**  
 01/16/2015 House—Introduced—HJ 72  
 01/20/2015 House—Referred to Committee on Energy and Environment—HJ 76
- H 2037** Bill by Vision 2020  
**Renewable energy generation and tax exempt entities.**  
 01/16/2015 House—Introduced—HJ 72  
 01/20/2015 House—Referred to Committee on Energy and Environment—HJ 76
- H 2038** Bill by Appropriations  
**Appropriation revisions for FY 2015, FY 2016, FY 2017, and FY 2018 for  
 various state agencies.**  
 01/16/2015 House—Introduced—HJ 72  
 01/20/2015 House—Referred to Committee on Appropriations—HJ 76  
 01/21/2015 House—Hearing: Wednesday, January 21, 2015, 9:00 AM Room 112N
- H 2039** Bill by Judiciary

**Domestic case management.**

01/16/2015 House—Introduced—HJ 72

01/20/2015 House—Referred to Committee on Judiciary—HJ 76

01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 112N

**H 2040** Bill by Judiciary**Amending which convictions are counted for driving while license is canceled, suspended or revoked.**

01/16/2015 House—Introduced—HJ 72

01/20/2015 House—Referred to Committee on Judiciary—HJ 76

01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 112N

02/04/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 163

03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2041** Bill by Representatives Dannebohm, Hawkins**Parkinson's disease public awareness and education act.**

01/16/2015 House—Introduced—HJ 72

01/20/2015 House—Referred to Committee on Health and Human Services—HJ 76

**H 2042** Bill by Health and Human Services**Senate Substitute for HB 2042 by Committee on Public Health and Welfare - Statutorily created boards, councils and committees.**

01/16/2015 House—Introduced—HJ 72

01/20/2015 House—Referred to Committee on Health and Human Services—HJ 76

01/21/2015 House—Hearing: Tuesday, January 27, 2015, 1:30 PM Room 546S

02/03/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 152

02/11/2015 House—Committee of the Whole - Be passed—HJ 210

02/12/2015 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 218

02/12/2015 Senate—Received and Introduced—SJ 105

02/13/2015 Senate—Referred to Committee on Public Health and Welfare—SJ 112

02/26/2015 Senate—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 118-N

03/19/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 314

03/24/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 367

03/25/2015 Senate—Final Action - Substitute passed; Yea: 30 Nay: 10—SJ 382

03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Concannon and Representative Ward as conferees—HJ 559

03/30/2015 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as conferees—SJ 414

04/01/2015 Senate—Conference Committee Report agree to disagree adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as second conferees—SJ 444

04/02/2015 House—Conference Committee Report agree to disagree adopted; Representative Hawkins, Representative Concannon and Representative Ward appointed as second conferees—HJ 594

- 05/04/2015 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 10—SJ 539
- 05/06/2015 House—Conference Committee Report was adopted; Yea: 90 Nay: 31—HJ 708
- 05/11/2015 House—Enrolled and presented to Governor on Monday, May 11, 2015—HJ 769
- 05/15/2015 House—Approved by Governor on Thursday, 14 May 2015—HJ 795

**H 2043**

Bill by Health and Human Services

**Senate Substitute for HB 2043 by Committee on Public Health and Welfare — Secretary for aging and disability services; criminal history record information; programs for all-inclusive care for the elderly.**

- 01/16/2015 House—Introduced—HJ 72
- 01/20/2015 House—Referred to Committee on Health and Human Services—HJ 76
- 01/21/2015 House—Hearing: Tuesday, January 27, 2015, 1:30 PM Room 546S
- 02/03/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 152
- 02/11/2015 House—Committee of the Whole - Be passed—HJ 210
- 02/12/2015 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 218
- 02/12/2015 Senate—Received and Introduced—SJ 105
- 02/13/2015 Senate—Referred to Committee on Public Health and Welfare—SJ 112
- 02/26/2015 Senate—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 118-N
- 03/17/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 263
- 03/24/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 367
- 03/25/2015 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 382
- 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Concannon and Representative Ward as conferees—HJ 559
- 03/30/2015 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as conferees—SJ 415
- 05/04/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 539
- 05/06/2015 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 709
- 05/12/2015 House—Enrolled and presented to Governor on Tuesday, May 12, 2015—HJ 772
- 05/15/2015 House—Approved by Governor on Thursday, 14 May 2015—HJ 795

**H 2044**

Bill by Transportation

**License, registration and safety requirements for autocycle; omega psi phi license plate.**

- 01/16/2015 House—Introduced—HJ 72
- 01/20/2015 House—Referred to Committee on Transportation—HJ 76
- 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 582N
- 02/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 222
- 02/18/2015 House—Committee of the Whole - Be passed as amended—HJ 255
- 02/19/2015 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 261

02/19/2015 Senate—Received and Introduced—SJ 135  
 02/20/2015 Senate—Referred to Committee on Transportation—SJ 140  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 8:30 AM Room 546-S  
 03/12/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 252  
 03/19/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 300  
 03/19/2015 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 305  
 03/23/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 497  
 03/24/2015 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 369  
 04/02/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 477  
 04/30/2015 House—Conference Committee Report was adopted; Yea: 117 Nay: 5—HJ 641  
 05/05/2015 House—Enrolled and presented to Governor on Tuesday, May 05, 2015—HJ 705  
 05/08/2015 House—Approved by Governor on Thursday, 07 May 2015—HJ 767

- H 2045** Bill by Representative Ward  
**Relating to eligibility requirements for the Kansas program of medical assistance.**  
 01/20/2015 House—Introduced—HJ 75  
 01/21/2015 House—Referred to Committee on Health and Human Services—HJ 104
- H 2046** Bill by Representative Ward  
**Repealing the health care compact.**  
 01/20/2015 House—Introduced—HJ 75  
 01/21/2015 House—Referred to Committee on Health and Human Services—HJ 104
- H 2047** Bill by Representative Ward  
**Patient empowerment act relating to I/DD waiver program.**  
 01/20/2015 House—Introduced—HJ 76  
 01/21/2015 House—Referred to Committee on Health and Human Services—HJ 104
- H 2048** Bill by 2014 Special Judiciary  
**Regulated scrap metal; crimes of theft and criminal damage to property, related sentencing provisions; regulation of scrap metal dealers, including unlawful acts and penalties; scrap metal theft reduction fee fund.**  
 01/20/2015 House—Introduced—HJ 82  
 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—

- HJ 104
- 01/21/2015 House—Hearing: Monday, January 26, 2015, 1:30 PM Room 152S
- 01/29/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 136
- 02/04/2015 House—Committee of the Whole - Be passed as amended—HJ 163
- 02/05/2015 House—Final Action - Passed as amended; Yea: 118 Nay: 0—HJ 172
- 02/05/2015 Senate—Received and Introduced—SJ 78
- 02/06/2015 Senate—Referred to Committee on Judiciary—SJ 86
- 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 10:30 AM Room 346-S
- 03/19/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 312
- 03/24/2015 Senate—Committee of the Whole - Be passed as amended—SJ 370
- 03/25/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 383
- 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rubin, Representative Gonzalez and Representative Highberger as conferees—HJ 559
- 03/30/2015 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 415
- 05/11/2015 Senate—Senator Pettey replaces Senator Haley on the Conference Committee—SJ 598
- 06/02/2015 House—Representative Barker replaces Representative Rubin on the Conference Committee—HJ 1038
- 06/02/2015 House—Representative Macheers replaces Representative Gonzalez on the Conference Committee—HJ 1038
- 06/02/2015 House—Representative Carmichael replaces Representative Highberger on the Conference Committee—HJ 1038
- 06/04/2015 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 1—SJ 1032
- 06/05/2015 House—Substitute motion to not adopt and appoint a conference committee failed Yea: 40 Nay: 64—HJ 1676
- 06/05/2015 House—Conference Committee Report was adopted; Yea: 73 Nay: 32—HJ 1646
- 06/09/2015 House—Enrolled and presented to Governor on Tuesday, June 09, 2015—HJ 1738
- 06/26/2015 House—Approved by Governor on Friday, 12 June 2015—HJ 1902

- H 2049** Bill by Corrections and Juvenile Justice  
**Amending penalty for first and second marijuana possession convictions; creating a program to research industrial hemp; authorizing hemp treatments for seizure disorders.**
- 01/20/2015 House—Introduced—HJ 82
- 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104
- 01/21/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 152S
- 02/03/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 152
- 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 323
- 04/30/2015 House—Withdrawn from Committee on Appropriations; Rereferred to



Committee on Corrections and Juvenile Justice—HJ 658  
 05/05/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 700  
 05/07/2015 House—Committee of the Whole - Be passed as amended—HJ 735  
 05/07/2015 House—Emergency Final Action - Passed as amended; Yea: 81 Nay: 36—HJ 738  
 05/11/2015 Senate—Received and Introduced—SJ 597  
 05/12/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 599

**H 2050** Bill by Corrections and Juvenile Justice  
**Allow prison sanction without county jail sanction for absconders.**  
 01/20/2015 House—Introduced—HJ 82  
 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104  
 01/21/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 152S  
 02/09/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 181  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2051** Bill by Corrections and Juvenile Justice  
**Amendments concerning good time and program credits for certain inmates; use of risk assessment tool for community corrections placement.**  
 01/20/2015 House—Introduced—HJ 82  
 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104  
 01/21/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 152S  
 02/03/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 152  
 02/12/2015 House—Committee of the Whole - Be passed—HJ 222  
 02/13/2015 House—Final Action - Passed; Yea: 110 Nay: 5—HJ 230  
 02/16/2015 Senate—Received and Introduced—SJ 115  
 02/17/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 122  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 9:30 AM Room 118-N  
 03/12/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 250  
 03/24/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 367  
 03/25/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 383  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rubin, Representative Gonzalez and Representative Highberger as conferees—HJ 559  
 03/30/2015 Senate—Motion to accede adopted; Senator Smith, Senator Knox and Senator Pettey appointed as conferees—SJ 415  
 04/30/2015 Senate—Substitute motion to not adopt and appoint a conference committee failed Yea: 20 Nay: 20—SJ 531  
 04/30/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 531

(SJ & HJ Nos. refer to 2015 Senate and House Journals)

05/05/2015 House—Conference Committee Report was adopted; Yea: 119 Nay: 1—HJ 700  
 05/08/2015 House—Enrolled and presented to Governor on Friday, May 08, 2015—HJ 765  
 05/15/2015 House—Approved by Governor on Thursday, 14 May 2015—HJ 795

**H 2052** Bill by Corrections and Juvenile Justice  
**Including diversions for felony violations in the drug abuse treatment program.**  
 01/20/2015 House—Introduced—HJ 82  
 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104  
 01/21/2015 House—Hearing: Tuesday, January 27, 2015, 1:30 PM Room 152S  
 02/09/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 181  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2053** Bill by 2014 Special Judiciary  
**Clarifying comparable offenses for criminal history.**  
 01/20/2015 House—Introduced—HJ 82  
 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104  
 01/21/2015 House—Hearing: Thursday, January 29, 2015, 1:30 PM Room 152S  
 02/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 232  
 02/20/2015 House—Committee of the Whole - Motion to Amend by Rep. Rubin was adopted.—HJ 269  
 02/20/2015 House—Committee of the Whole - Be passed as amended—HJ 269  
 02/23/2015 House—Final Action - Passed as amended; Yea: 117 Nay: 0—HJ 279  
 02/23/2015 Senate—Received and Introduced—SJ 150  
 02/24/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 155  
 02/26/2015 Senate—Hearing: Thursday, March 05, 2015, 9:30 AM Room 118-N  
 03/05/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 230  
 03/10/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 238  
 03/11/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 245  
 03/17/2015 House—Concurred with amendments; Yea: 120 Nay: 0—HJ 378  
 03/23/2015 House—Enrolled and presented to Governor on Monday, March 23, 2015—HJ 499  
 03/30/2015 House—Approved by Governor on Wednesday, 25 March 2015—HJ 564

**H 2054** Bill by 2014 Special Judiciary  
**Substitute for HB 2054 by Committee on Judiciary - Enacting the public speech protection act.**  
 01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Judiciary—HJ 104

- 01/23/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N  
 02/24/2015 House—Withdrawn from Committee on Judiciary; Referred to  
 Committee on Appropriations—HJ 285  
 03/23/2015 House—Withdrawn from Committee on Appropriations; Rereferred to  
 Committee on Judiciary—HJ 486  
 03/23/2015 House—Committee Report recommending substitute bill be passed by  
 Committee on Judiciary—HJ 498

- H 2055** Bill by Corrections and Juvenile Justice  
**Criminal history classification; conversion of out of state misdemeanors;  
 counting of prior DUI-related offenses when a person is convicted of  
 certain crimes.**
- 01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 104  
 01/21/2015 House—Hearing: Tuesday, January 27, 2015, 1:30 PM Room 152S  
 02/03/2015 House—Committee Report recommending bill be passed by Committee  
 on Corrections and Juvenile Justice—HJ 152  
 02/11/2015 House—Committee of the Whole - Be passed as amended—HJ 210  
 02/12/2015 House—Final Action - Passed as amended; Yea: 118 Nay: 4—HJ 219  
 02/12/2015 Senate—Received and Introduced—SJ 105  
 02/13/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—  
 SJ 112  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 9:30 AM Room 118-N  
 03/19/2015 Senate—Committee Report recommending bill be passed as amended  
 by Committee on Corrections and Juvenile Justice—SJ 307  
 03/25/2015 Senate—Committee of the Whole - Be passed as amended—SJ 386  
 03/25/2015 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0  
 —SJ 406  
 03/31/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Barker, Representative Macheers and  
 Representative Carmichael as conferees—HJ 571  
 03/31/2015 Senate—Motion to accede adopted; Senator Smith, Senator Knox and  
 Senator Pettey appointed as conferees—SJ 419  
 05/19/2015 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—  
 SJ 736  
 05/21/2015 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—  
 HJ 830  
 05/29/2015 House—Enrolled and presented to Governor on Friday, May 29, 2015—  
 HJ 949  
 06/08/2015 House—Approved by Governor on Monday, 08 June 2015—HJ 1735

- H 2056** Bill by Corrections and Juvenile Justice  
**Senate Substitute for HB 2056 by Committee on Corrections and Juvenile  
 Justice - Licensure of bail enforcement agents by the attorney general.**
- 01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 104  
 01/21/2015 House—Hearing: Tuesday, January 27, 2015, 1:30 PM Room 152S

02/03/2015 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 152  
 02/12/2015 House—Committee of the Whole - Be passed—HJ 222  
 02/13/2015 House—Final Action - Passed; Yea: 115 Nay: 0—HJ 231  
 02/16/2015 Senate—Received and Introduced—SJ 115  
 02/17/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 122  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 9:30 AM Room 118-N  
 03/12/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—SJ 250

**H 2057** Bill by Judiciary

**Amending procedure for review and appeal of death sentence; restricting second or successive motions attacking sentence filed by prisoners; providing additional procedures for motions attacking sentence filed by prisoners under death sentence.**

01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Judiciary—HJ 104

**H 2058** Bill by Children and Seniors

**Hospitals; regarding designated lay caregivers; duties of the hospital; policies and procedures.**

01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Children and Seniors—HJ 104  
 02/26/2015 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Appropriations—HJ 307

**H 2059** Bill by Agriculture and Natural Resources

**Authorizing chief engineer to allow augmentation to secure water.**

01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 104  
 01/22/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 346S  
 02/17/2015 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 248  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 293  
 02/26/2015 House—Final Action - Passed as amended; Yea: 120 Nay: 3—HJ 308  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222  
 03/09/2015 Senate—Hearing: Thursday, March 12, 2015, 8:30 AM Room 159-S

**H 2060** Bill by Agriculture and Natural Resources

**Authorizing the governor to enter into the great plains interstate fire compact.**

01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 104  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 346S

- H 2061** Bill by Agriculture and Natural Resources  
**Amending the powers and duties of the Kansas department of agriculture division of conservation and the state conservation commission.**  
 01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 104  
 01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 346S  
 02/10/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—HJ 192  
 02/13/2015 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 230  
 02/25/2015 House—Committee of the Whole - Be passed—HJ 293  
 02/26/2015 House—Final Action - Passed; Yea: 121 Nay: 2—HJ 308  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Agriculture—SJ 222  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 8:30 AM Room 159-S  
 03/16/2015 Senate—Hearing: Wednesday, March 18, 2015, 8:00 AM Room 159-S  
 03/18/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 267  
 03/23/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 320  
 03/24/2015 Senate—Final Action - Passed as amended; Yea: 28 Nay: 12—SJ 364  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 557  
 03/30/2015 Senate—Motion to accede adopted; Senator Love, Senator Kerschen and Senator Francisco appointed as conferees—SJ 415  
 04/30/2015 Senate—Conference Committee Report was adopted; Yea: 21 Nay: 18—SJ 532  
 05/05/2015 House—Conference Committee Report was adopted; Yea: 84 Nay: 36—HJ 701  
 05/08/2015 House—Enrolled and presented to Governor on Friday, May 08, 2015—HJ 765  
 05/19/2015 House—Approved by Governor on Monday, 18 May 2015—HJ 810
- H 2062** Bill by Appropriations  
**Relating to blackmail and breach of privacy.**  
 01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Judiciary—HJ 104  
 01/23/2015 House—Hearing: Thursday, January 29, 2015, 3:30 PM Room 112N
- H 2063** Bill by Agriculture and Natural Resources  
**Amending the definition of project in the public water supply project loan program.**  
 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Agriculture and Natural Resources

—HJ 110

- 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 3:30 PM Room 346S  
 02/11/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Agriculture and Natural Resources—HJ 211  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 300  
 02/26/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 309  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222  
 03/16/2015 Senate—Hearing: Thursday, March 19, 2015, 8:30 AM Room 159-S

**H 2064** Bill by Insurance

**Insurance; legal services; nonprofit dental service corporations; updating certain definitions; excluding individual accident and sickness policies from certain uniform policy provisions; health care provider insurance availability act.**

- 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Insurance—HJ 110  
 01/22/2015 House—Hearing: Monday, January 26, 2015, 3:30 PM Room 152S  
 01/29/2015 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 136  
 02/04/2015 House—Committee of the Whole - Be passed—HJ 162  
 02/05/2015 House—Final Action - Passed; Yea: 118 Nay: 0—HJ 172  
 02/05/2015 Senate—Received and Introduced—SJ 78  
 02/06/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 86  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 9:30 AM Room 546-S  
 03/18/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 275  
 03/24/2015 Senate—Committee of the Whole - Be passed as amended—SJ 367  
 03/25/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 383  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwab, Representative Bruchman and Representative Houston as conferees—HJ 558  
 03/30/2015 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 415  
 04/02/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 494  
 04/29/2015 House—Conference Committee Report was adopted; Yea: 119 Nay: 0—HJ 613  
 05/04/2015 House—Enrolled and presented to Governor on Monday, May 04, 2015—HJ 664  
 05/08/2015 House—Approved by Governor on Thursday, 07 May 2015—HJ 767

**H 2065** Bill by Insurance

**Insurance; nonprofit dental service corporation disbursements.**

- 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Insurance—HJ 110  
 01/22/2015 House—Hearing: Wednesday, January 28, 2015, 3:30 PM Room 152S  
 02/03/2015 House—Committee Report recommending bill be passed by Committee

on Insurance—HJ 152

02/11/2015 House—Committee of the Whole - Be passed—HJ 210

02/12/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 219

02/12/2015 Senate—Received and Introduced—SJ 105

02/13/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 112

03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 9:30 AM Room 546-S

**H 2066** Bill by Insurance

**Amending certain statutes relating to investments by life insurance and other than life insurance companies.**

01/21/2015 House—Introduced—HJ 103

01/22/2015 House—Referred to Committee on Insurance—HJ 110

01/30/2015 House—Hearing: Monday, February 02, 2015, 3:30 PM Room 152S

02/05/2015 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 173

02/11/2015 House—Committee of the Whole - Be passed—HJ 210

02/12/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 220

02/12/2015 Senate—Received and Introduced—SJ 105

02/13/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 112

02/26/2015 Senate—Hearing: Wednesday, March 04, 2015, 9:30 AM Room 546-S

03/17/2015 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 263

03/19/2015 Senate—Committee of the Whole - Be passed—SJ 297

03/19/2015 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 305

03/24/2015 House—Enrolled and presented to Governor on Tuesday, March 24, 2015—HJ 521

03/31/2015 House—Approved by Governor on Monday, 30 March 2015—HJ 568

**H 2067** Bill by Insurance

**Increasing minimum motor vehicle liability insurance policy limits.**

01/21/2015 House—Introduced—HJ 103

01/22/2015 House—Referred to Committee on Insurance—HJ 110

01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 152S

**H 2068** Bill by Transportation

**Removing requirement that bicycles use path.**

01/21/2015 House—Introduced—HJ 103

01/22/2015 House—Referred to Committee on Transportation—HJ 110

02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 582N

**H 2069** Bill by Agriculture and Natural Resources

**Allowing carryover and a change application for place of use for multi-year flex accounts.**

01/21/2015 House—Introduced—HJ 103

01/22/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 110

01/30/2015 House—Hearing: Monday, February 02, 2015, 3:30 PM Room 346S  
 02/17/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Agriculture and Natural Resources—HJ 249  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

- H 2070** Bill by Taxation  
**Excluding certain government owned property from the request for exemption process.**  
 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Taxation—HJ 110  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 3:30 PM Room 582N  
 03/13/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 369
- H 2071** Bill by Taxation  
**Property taxation; market study analysis, persons eligible to be appointed appraiser.**  
 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Taxation—HJ 110  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 3:30 PM Room 582N  
 03/13/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 369
- H 2072** Bill by Agriculture and Natural Resources Budget Committee  
**Increasing assessments for the Kansas agricultural remediation reimbursement fund.**  
 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 110  
 01/22/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 142-S-CANCELLED  
 02/20/2015 House—Withdrawn from Committee on Agriculture and Natural Resources Budget; Referred to Committee on Appropriations—HJ 267
- H 2073** Bill by Judiciary  
**Changing the mandatory retirement age for judges and justices.**  
 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Judiciary—HJ 110  
 02/24/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 285
- H 2074** Bill by Federal and State Affairs  
**Senate Substitute for HB 2074 by Committee on Federal and State Affairs — Kansas expanded lottery act; racetrack gaming; county fair association racing; prizes subject to state debt setoff.**  
 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Federal and State Affairs—HJ 110



01/23/2015 House—Hearing: Wednesday, January 28, 2015, 9:00 AM Room 346S  
 02/10/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 192  
 03/25/2015 House—Committee of the Whole - Be passed—HJ 529  
 03/25/2015 House—Emergency Final Action - Passed; Yea: 119 Nay: 5—HJ 550  
 03/30/2015 Senate—Received and Introduced—SJ 414  
 03/31/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 417  
 05/13/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 665  
 05/14/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 681  
 05/14/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea: 24 Nay: 12—SJ 708  
 05/18/2015 House—Ruled materially changed and referred to Committee on Calendar and Printing—HJ 809

**H 2075** Bill by Representatives Brunk, Alford, Anthimides, Barton, Billinger, Bradford, W. Carpenter, Claeys, DeGraaf, Dove, Esau, Estes, Ewy, Garber, Hedke, Hildabrand, Hoffman, Houser, Huebert, Hutton, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mason, Mast, O'Brien, Osterman, Pauls, Peck, R. Powell, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, C. Smith, Sutton, Todd, Whitmer, K. Williams  
**Establishing the capitol meditation room.**  
 01/21/2015 House—Introduced—HJ 103  
 01/22/2015 House—Referred to Committee on Federal and State Affairs—HJ 110  
 02/02/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 146

**H 2076** Bill by Representatives Todd, Anthimides, Claeys, Clayton, E. Davis, Finney, Highland, K. Jones, Pauls, Peck, R. Powell, Rooker, Scapa, Sutton, Thompson, Whipple  
**Sales tax holiday.**  
 01/22/2015 House—Introduced—HJ 105  
 01/23/2015 House—Referred to Committee on Taxation—HJ 114  
 01/30/2015 House—Hearing: Thursday, February 05, 2015, 3:30 PM Room 582N

**H 2077** Bill by Veterans, Military and Homeland Security  
**Motor vehicle property tax exemption for disabled veterans.**  
 01/22/2015 House—Introduced—HJ 105  
 01/23/2015 House—Referred to Committee on Taxation—HJ 114

**H 2078** Bill by Veterans, Military and Homeland Security  
**Requiring school districts to adopt school safety and security policies and plans.**  
 01/22/2015 House—Introduced—HJ 105  
 01/23/2015 House—Referred to Committee on Education—HJ 114  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 112-N-CANCELLED

02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 112N

- H 2079** Bill by Health and Human Services  
**Kansas dental board; licensure of registered dental practitioners.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Health and Human Services—HJ 114  
 02/19/2015 House—Hearing: Tuesday, February 24, 2015, 1:30 PM Room 546S
- H 2080** Bill by Corrections and Juvenile Justice  
**Including unlawful dissemination of consensually taken images in blackmail and breach of privacy.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Judiciary—HJ 114  
 02/03/2015 House—Hearing: Tuesday, February 3, 2015, 3:30 PM Room 112-N-CANCELLED
- H 2081** Bill by Judiciary  
**Kansas disclosure of unanticipated medical outcomes and medical errors act.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Judiciary—HJ 114
- H 2082** Bill by Elections  
**Lobbyist defined.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Elections—HJ 114  
 01/26/2015 House—Hearing: Monday, January 26, 2015, 1:30 PM Room 281N  
 02/03/2015 House—Committee Report recommending bill be passed by Committee on Elections—HJ 152  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2083** Bill by Elections  
**Campaign finance; reports; required information.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Elections—HJ 114  
 01/26/2015 House—Hearing: Monday, January 26, 2015, 1:30 PM Room 281N  
 02/03/2015 House—Committee Report recommending bill be passed by Committee on Elections—HJ 152  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2084** Bill by Judiciary  
**Kansas prepaid telephone security act.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Utilities and Telecommunications—HJ 114  
 02/13/2015 House—Hearing: Thursday, February 19, 2015, 9:00 AM Room 582-N

- H 2085** Bill by Appropriations  
**Contracts between the secretary of transportation and the Kansas Turnpike Authority; annual reports from the authority; director of operations.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Transportation—HJ 114  
 02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 582N  
 02/19/2015 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 265  
 02/25/2015 House—Committee of the Whole - Be passed—HJ 299  
 02/26/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 309  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Ways and Means—SJ 223  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 10:30 AM Room 548-S  
 03/17/2015 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 264  
 03/19/2015 Senate—Committee of the Whole - Be passed—SJ 297  
 03/19/2015 Senate—Emergency Final Action - Passed; Yea: 37 Nay: 1—SJ 305  
 03/24/2015 House—Enrolled and presented to Governor on Tuesday, March 24, 2015—HJ 521  
 03/31/2015 House—Approved by Governor on Monday, 30 March 2015—HJ 568
- H 2086** Bill by Taxation  
**Sales tax exemption; defining machinery and equipment used as integral or essential part of an integrated production operation.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Taxation—HJ 114  
 01/30/2015 House—Hearing: Monday, February 2, 2015, 3:30 PM Room 582-N-CANCELLED
- H 2087** Bill by Federal and State Affairs  
**Prohibiting local regulation of firearm sales by federal firearms licensees.**  
 01/23/2015 House—Introduced—HJ 111  
 01/26/2015 House—Referred to Committee on Federal and State Affairs—HJ 117  
 01/27/2015 House—Hearing: Wednesday, January 28, 2015, 9:00 AM Room 346S  
 02/10/2015 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 192  
 03/25/2015 House—Committee of the Whole - Be passed as amended—HJ 534  
 03/25/2015 House—Emergency Final Action - Passed as amended; Yea: 100 Nay: 24—HJ 550  
 03/30/2015 Senate—Received and Introduced—SJ 414  
 03/31/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 417
- H 2088** Bill by Federal and State Affairs  
**Issuance of citations by the division of alcoholic beverage control; prohibition on sale of powdered alcohol.**  
 01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Federal and State Affairs—HJ 117

01/30/2015 House—Hearing: Tuesday, February 03, 2015, 9:00 AM Room 346S  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 9:00 AM Room 346S  
 02/11/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 211  
 03/25/2015 House—Committee of the Whole - Be passed as amended—HJ 534  
 03/25/2015 House—Emergency Final Action - Passed as amended; Yea: 112 Nay: 12—HJ 549  
 03/30/2015 Senate—Received and Introduced—SJ 414  
 03/31/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 417

**H 2089** Bill by Federal and State Affairs

**Alcoholic beverages; disqualification of hidden owners from licensure.**

01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Federal and State Affairs—HJ 117  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 9:00 AM Room 346S  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 9:00 AM Room 346S  
 02/11/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 211  
 03/18/2015 House—Committee of the Whole - Be passed—HJ 402  
 03/19/2015 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 424  
 03/19/2015 Senate—Received and Introduced—SJ 294  
 03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317  
 03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S

**H 2090** Bill by Transportation

**Senate Substitute for HB 2090 by Committee on Transportation - Relating to motor vehicle registration, apportioned registration for fleet vehicles, decal serial numbers and annual registration.**

01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Transportation—HJ 117  
 01/27/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 582N  
 02/12/2015 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 222  
 02/18/2015 House—Committee of the Whole - Be passed—HJ 255  
 02/19/2015 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 261  
 02/19/2015 Senate—Received and Introduced—SJ 135  
 02/20/2015 Senate—Referred to Committee on Transportation—SJ 140  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 8:30 AM Room 546-S  
 03/12/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Transportation—SJ 252  
 03/19/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 298  
 03/19/2015 Senate—Emergency Final Action - Substitute passed; Yea: 38 Nay: 0—SJ 306  
 03/23/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Lusker as conferees—HJ 497  
 03/24/2015 Senate—Motion to accede adopted; Senator Petersen, Senator Wolf and Senator Pettey appointed as conferees—SJ 369  
 04/02/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—

SJ 497

04/30/2015 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—  
HJ 643

05/05/2015 House—Enrolled and presented to Governor on Tuesday, May 05, 2015  
—HJ 705

05/08/2015 House—Approved by Governor on Thursday, 07 May 2015—HJ 767

**H 2091** Bill by Transportation

**Deleting serial number requirement on expiration decals.**

01/23/2015 House—Introduced—HJ 112

01/26/2015 House—Referred to Committee on Transportation—HJ 117

01/27/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 582N

02/12/2015 House—Committee Report recommending bill be passed and placed on  
Consent Calendar by Committee on Transportation—HJ 222

02/17/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 247

02/17/2015 Senate—Received and Introduced—SJ 123

02/18/2015 Senate—Referred to Committee on Transportation—SJ 125

03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 8:30 AM Room 546-S

**H 2092** Bill by Transportation

**Restricted driver's licenses; seizure disorders.**

01/23/2015 House—Introduced—HJ 112

01/26/2015 House—Referred to Committee on Transportation—HJ 117

01/27/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 582N

**H 2093** Bill by Transportation

**Drivers' licenses, DUI-IID designation; commercial endorsements or  
restrictions.**

01/23/2015 House—Introduced—HJ 112

01/26/2015 House—Referred to Committee on Transportation—HJ 117

01/27/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 582N

02/12/2015 House—Committee Report recommending bill be passed as amended  
by Committee on Transportation—HJ 222

03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2094** Bill by Transportation

**Senate Substitute for HB 2094 by Committee on Transportation -Reconciling  
amendments to certain statutes.**

01/23/2015 House—Introduced—HJ 112

01/26/2015 House—Referred to Committee on Transportation—HJ 117

01/27/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 582N

02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 582N

02/12/2015 House—Committee Report recommending bill be passed by Committee  
on Transportation—HJ 222

02/18/2015 House—Committee of the Whole - Be passed—HJ 255

02/19/2015 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 262

02/19/2015 Senate—Received and Introduced—SJ 135

02/20/2015 Senate—Referred to Committee on Transportation—SJ 140

(SJ & HJ Nos. refer to 2015 Senate and House Journals)

- 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 8:30 AM Room 546-S  
 03/17/2015 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Transportation—SJ 264  
 06/08/2015 Senate—Withdrawn from Calendar; Referred to Committee on Ways  
 and Means—SJ 1652  
 06/09/2015 Senate—Withdrawn from Committee on Ways and Means and referred  
 to Committee of the Whole—SJ 1653  
 06/10/2015 Senate—Committee of the Whole - Substitute bill be passed as  
 amended  
 06/10/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea:  
 33 Nay: 0—SJ 1683  
 06/11/2015 House—Concurred with amendments; Yea: 103 Nay: 0—HJ 1842  
 06/26/2015 House—Enrolled and presented to Governor on Tuesday, June 16, 2015  
 —HJ 1906  
 06/26/2015 House—Approved by Governor on Tuesday, 16 June 2015—HJ 1902

**H 2095**

Bill by Pensions and Benefits

**Senate Substitute for HB 2095 by Select Committee on KPERS - Providing  
 working after retirement provisions for certain retirants and  
 extending current sunset for teachers; proscribing certain appeal  
 duties for joint committee on pensions, investments and benefits;  
 enacting the deferred option program act.**

- 01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Pensions and Benefits—HJ 117  
 01/27/2015 House—Hearing: Wednesday, January 28, 2015, 9:00 AM Room 152S  
 02/12/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Pensions and Benefits—HJ 222  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on  
 Appropriations—HJ 306  
 03/10/2015 House—Withdrawn from Committee on Appropriations; Rereferred to  
 Committee on Pensions and Benefits—HJ 338  
 03/17/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Pensions and Benefits—HJ 393  
 03/25/2015 House—Committee of the Whole - Be passed as amended—HJ 547  
 03/25/2015 House—Emergency Final Action - Passed as amended; Yea: 67 Nay: 57  
 —HJ 555  
 03/30/2015 Senate—Received and Introduced—SJ 414  
 03/31/2015 Senate—Referred to Senate Select Committee on KPERS—SJ 417  
 05/04/2015 Senate—Committee Report recommending substitute bill be passed by  
 Senate Select Committee on KPERS—SJ 549  
 05/05/2015 Senate—Committee of the Whole - Substitute bill be passed as  
 amended—SJ 558  
 05/05/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea:  
 40 Nay: 0—SJ 561  
 05/11/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Johnson, Representative Thompson  
 and Representative Trimmer as conferees—HJ 768  
 05/12/2015 Senate—Motion to accede adopted; Senator King, Senator Longbine  
 and Senator Kelly appointed as conferees—SJ 601

- 05/14/2015 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 711
- 05/15/2015 House—Conference Committee Report was adopted; Yea: 97 Nay: 22—HJ 797
- 05/26/2015 House—Enrolled and presented to Governor on Friday, May 22, 2015—HJ 908
- 05/29/2015 House—Approved by Governor on Friday, 29 May 2015—HJ 933

**H 2096** Bill by Commerce, Labor and Economic Development  
**Senate Substitute for HB 2096 by Committee on Commerce - Public employees concerning public employer-employee relations act and deductions from wages.**

- 01/23/2015 House—Introduced—HJ 112
- 01/26/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 117
- 01/29/2015 House—Hearing: Monday, February 02, 2015, 1:30 PM Room 346S
- 02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 211
- 02/24/2015 House—Committee of the Whole - Be passed as amended—HJ 284
- 02/25/2015 House—Final Action - Passed as amended; Yea: 79 Nay: 42—HJ 288
- 02/25/2015 Senate—Received and Introduced—SJ 172
- 02/26/2015 Senate—Referred to Committee on Commerce—SJ 186
- 03/06/2015 Senate—Hearing: Monday, March 09, 2015, 8:30 AM Room 548-S
- 03/23/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Commerce—SJ 324
- 03/24/2015 Senate—Committee of the Whole - Amendment by Senator Love was rejected. Yea: 13 Nay: 19—SJ 377
- 03/25/2015 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 410

**H 2097** Bill by Veterans, Military and Homeland Security  
**State fire marshal; search and rescue teams and hazardous materials response teams; tort claims immunity; emergency response fund.**

- 01/23/2015 House—Introduced—HJ 112
- 01/26/2015 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 117
- 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 9:00 AM Room 152S
- 02/05/2015 House—Committee Report recommending bill be passed by Committee on Veterans, Military and Homeland Security—HJ 173
- 02/12/2015 House—Committee of the Whole - Be passed as amended—HJ 222
- 02/13/2015 House—Final Action - Passed as amended; Yea: 92 Nay: 23—HJ 231
- 02/16/2015 Senate—Received and Introduced—SJ 115
- 02/17/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 122
- 04/01/2015 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 449
- 05/05/2015 Senate—Committee of the Whole - Be passed—SJ 551
- 05/05/2015 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 561
- 05/11/2015 House—Enrolled and presented to Governor on Monday, May 11, 2015—HJ 769

05/15/2015 House—Approved by Governor on Thursday, 14 May 2015—HJ 795

- H 2098** Bill by Representative Lunn  
**Designating a portion of U.S. 69 as the 2nd Lieutenant Justin L Sisson memorial highway.**  
 01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Transportation—HJ 117  
 01/27/2015 House—Hearing: Tuesday, January 27, 2015, 1:30 PM Room 582N  
 01/28/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—HJ 130  
 01/29/2015 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 135  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2099** Bill by Education  
**Authorizing school districts to administer certain surveys and questionnaires under the student data privacy act.**  
 01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Education—HJ 117  
 02/10/2015 House—Hearing: Friday, February 13, 2015, 1:30 PM Room 112N
- H 2100** Bill by Children and Seniors  
**Establishing tax deferred savings accounts for individuals with disabilities.**  
 01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Children and Seniors—HJ 117  
 01/27/2015 House—Hearing: Thursday, January 29, 2015, 9:00 AM Room 218N  
 02/04/2015 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 163  
 02/24/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 285  
 03/17/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Children and Seniors—HJ 378
- H 2101** Bill by Judiciary  
**Senate Substitute for HB 2101 by Committee on KPERS — Definition of “police” for purposes of eligibility in the Kansas police and firemen’s retirement system.**  
 01/23/2015 House—Introduced—HJ 112  
 01/26/2015 House—Referred to Committee on Judiciary—HJ 117  
 01/30/2015 House—Hearing: Monday, February 02, 2015, 3:30 PM Room 112N  
 02/05/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 173  
 02/10/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 192  
 02/10/2015 Senate—Received and Introduced—SJ 94  
 02/11/2015 Senate—Referred to Committee on Judiciary—SJ 100  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 10:30 AM Room 346-S  
 03/11/2015 Senate—Withdrawn from Committee on Judiciary; Rereferred to Senate Select Committee on KPERS—SJ 240



03/20/2015 Senate—Committee Report recommending substitute bill be passed by Senate Select Committee on KPERS—SJ 318  
 03/24/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 367  
 03/25/2015 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 383  
 03/30/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Johnson, Representative Thompson and Representative Trimmer as conferees—HJ 566  
 03/30/2015 Senate—Motion to accede adopted; Senator King, Senator Longbine and Senator Hensley appointed as conferees—SJ 415  
 04/02/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 501  
 04/02/2015 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 602  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 10, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 15 April 2015—HJ 608

**H 2102** Bill by Judiciary

**Kansas probate code; elective share of surviving spouse.**

01/23/2015 House—Introduced—HJ 112

01/26/2015 House—Referred to Committee on Judiciary—HJ 117

**H 2103** Bill by Representative S. Swanson

**Designating bridge no. 14 (030) in Clay county as the Clay county Vietnam veterans bridge.**

01/23/2015 House—Introduced—HJ 113

01/26/2015 House—Referred to Committee on Transportation—HJ 117

02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 582N

02/20/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—HJ 274

02/25/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 288

02/25/2015 Senate—Received and Introduced—SJ 172

02/26/2015 Senate—Referred to Committee on Transportation—SJ 186

03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 8:30 AM Room 546-S

03/17/2015 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 264

03/24/2015 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 361

04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015—HJ 632

04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

**H 2104** Bill by Elections

**Elections; municipal election dates changed; filling vacancies of nominees; presidential preference primary.**

01/23/2015 House—Introduced—HJ 113

01/26/2015 House—Referred to Committee on Elections—HJ 117

01/26/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 281N

02/05/2015 House—Committee Report recommending bill be passed by Committee

- on Elections—HJ 173
- 02/25/2015 House—Committee of the Whole - Be passed—HJ 293
- 02/26/2015 House—Final Action - Passed; Yea: 69 Nay: 54—HJ 310
- 02/26/2015 Senate—Received and Introduced—SJ 194
- 03/04/2015 Senate—Referred to Committee on Ethics and Elections—SJ 222
- 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 9:30 AM Room 142-S
- 03/19/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics and Elections—SJ 308
- 03/24/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 370
- 03/25/2015 Senate—Final Action - Passed as amended; Yea: 28 Nay: 12—SJ 384
- 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kahrs, Representative Esau and Representative Sawyer as conferees—HJ 558
- 03/30/2015 Senate—Motion to accede adopted; Senator Holmes, Senator Fitzgerald and Senator Faust-Goudeau appointed as conferees—SJ 415
- 04/01/2015 Senate—Conference Committee Report agree to disagree adopted; Senator Holmes, Senator Fitzgerald and Senator Faust-Goudeau appointed as second conferees—SJ 444
- 04/01/2015 House—Conference Committee Report agree to disagree adopted; Representative Kahrs, Representative Esau and Representative Sawyer appointed as second conferees—HJ 586
- 05/13/2015 Senate—Conference Committee Report was adopted; Yea: 22 Nay: 13—SJ 609
- 05/21/2015 House—Conference Committee Report was adopted; Yea: 64 Nay: 58—HJ 853
- 05/29/2015 House—Enrolled and presented to Governor on Friday, May 29, 2015—HJ 949
- 06/08/2015 House—Approved by Governor on Monday, 08 June 2015—HJ 1735

**H 2105** Bill by Corrections and Juvenile Justice  
**Creating the Kansas comprehensive money laundering act.**

- 01/23/2015 House—Introduced—HJ 113
- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117
- 02/05/2015 House—Hearing: Monday, February 9, 2015, 3:30 PM Room 112-N-CANCELLED
- 02/12/2015 House—Hearing: Monday, February 16, 2015, 3:30 PM Room 112N

**H 2106** Bill by Corrections and Juvenile Justice  
**Amending criminal penalties under the Kansas uniform securities act.**

- 01/23/2015 House—Introduced—HJ 113
- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117
- 02/05/2015 House—Hearing: Monday, February 9, 2015, 3:30 PM Room 112-N-CANCELLED
- 02/12/2015 House—Hearing: Monday, February 16, 2015, 3:30 PM Room 112N
- 02/18/2015 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 255
- 02/25/2015 House—Committee of the Whole - Be passed—HJ 293
- 02/26/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 311

02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—  
 SJ 222  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 9:30 AM Room 118-N  
 03/19/2015 Senate—Committee Report recommending bill be passed as amended  
 by Committee on Corrections and Juvenile Justice—SJ 307  
 03/23/2015 Senate—Committee of the Whole - Be passed as amended—SJ 320  
 03/24/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 364  
 03/31/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Barker, Representative Macheers and  
 Representative Carmichael as conferees—HJ 571  
 03/31/2015 Senate—Motion to accede adopted; Senator Smith, Senator Knox and  
 Senator Pettey appointed as conferees—SJ 419  
 05/14/2015 House—Concurred with amendments in conference; Yea: 121 Nay: 0—  
 HJ 793  
 05/26/2015 House—Enrolled and presented to Governor on Friday, May 22, 2015—  
 HJ 908  
 05/28/2015 House—Approved by Governor on Wednesday, 27 May 2015—HJ 913

**H 2107** Bill by Corrections and Juvenile Justice  
**Delinquent time lost on parole while offender has absconded from supervision.**  
 01/23/2015 House—Introduced—HJ 113  
 01/26/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 117  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 152S  
 02/04/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 152S  
 02/13/2015 House—Committee Report recommending bill be passed by Committee  
 on Corrections and Juvenile Justice—HJ 232  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2108** Bill by Elections  
**Elections; straight ticket ballots.**  
 01/23/2015 House—Introduced—HJ 113  
 01/26/2015 House—Referred to Committee on Elections—HJ 117  
 01/26/2015 House—Hearing: Wednesday, January 28, 2015, 1:30 PM Room 281N  
 02/03/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Elections—HJ 152  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2109** Bill by Judiciary  
**Senate Substitute for HB 2109 by Committee on Assessment and Taxation -  
 Providing for sales and compensating tax rates and lower rate on food  
 purchases and exemption sunset; income tax subtraction modifications  
 and credits; cigarette tax rate changes and taxation of cigarettes; local  
 sales tax authority; rural opportunity zones; fire district tax authority  
 and creating joint committee on tax exemptions and income tax  
 credits.**  
 01/23/2015 House—Introduced—HJ 113

- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117
- 01/30/2015 House—Hearing: Monday, February 02, 2015, 3:30 PM Room 112N
- 02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary
- 02/24/2015 House—Committee of the Whole - Be passed as amended—HJ 284
- 02/25/2015 House—Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 289
- 02/25/2015 Senate—Received and Introduced—SJ 172
- 02/26/2015 Senate—Referred to Committee on Judiciary—SJ 186
- 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 10:30 AM Room 346-S
- 03/16/2015 Senate—Withdrawn from Committee on Judiciary; Rereferred to Committee on Assessment and Taxation—SJ 257
- 05/21/2015 Senate—Committee report recommending a substitute bill be reported without recommendation by Committee on Taxation. Committee on Assessment and Taxation
- 05/27/2015 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be reported without recommendation.
- 05/27/2015 Senate—Committee of the Whole - Enacting clause be stricken Yea: 13 Nay: 25
- 05/27/2015 Senate—Committee of the Whole - Motion to recommend favorably for passage failed Yea: 1 Nay: 30
- 05/27/2015 Senate—Committee of the Whole - Motion to reconsider failed
- 05/30/2015 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 805
- 05/30/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 808
- 05/31/2015 Senate—Committee of the Whole - Motion to divide the question - Offered by Senator Hensley. Part 1 was retained.—SJ 903
- 05/31/2015 Senate—Committee of the Whole - Motion to divide the question - Offered by Senator Hensley. Part 2 was not retained. Yea: 9 Nay: 30—SJ 903
- 05/31/2015 Senate—Committee of the Whole - Be amended and retain a place on the calendar.
- 06/01/2015 Senate—Committee of the Whole - Motion to divide the question - Offered by Senator Hensley. Part 1 was retained. Yea: 33 Nay: 4—SJ 1002
- 06/01/2015 Senate—Committee of the Whole - Motion to divide the question - Offered by Senator Hensley. Part 2 was not retained. Yea: 8 Nay: 30—SJ 1002
- 06/01/2015 Senate—Committee of the Whole - Motion to divide the question - Offered by Senator Hensley. Part 3 was not retained.—SJ 1003
- 06/01/2015 Senate—Committee of the Whole - Be amended and retain a place on the calendar.—SJ 1003
- 06/03/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1018
- 06/03/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea: 25 Nay: 13—SJ 1028
- 06/03/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kleeb, Representative Suellentrop and Representative Sawyer as conferees—HJ 1045
- 06/03/2015 Senate—Motion to accede adopted; Senator Donovan, Senator Tyson and Senator Holland appointed as conferees—SJ 1030

(SJ & HJ Nos. refer to 2015 Senate and House Journals)

- 06/05/2015 Senate—Conference Committee Report agree to disagree adopted; Senator Donovan, Senator Tyson and Senator Holland appointed as second conferees—SJ 1071
- 06/05/2015 House—Conference Committee Report agree to disagree adopted; Representative Kleeb, Representative Suellentrop and Representative Sawyer appointed as second conferees—HJ 1713
- 06/06/2015 Senate—Conference Committee Report not adopted; Yea: 5 Nay: 34—SJ 1074
- 06/06/2015 Senate—Motion to reconsider -- adopted—SJ 1139
- 06/06/2015 Senate—Conference Committee Report not adopted; Senator Donovan, Senator Tyson and Senator Holland appointed as third conferees—SJ 1139
- 06/06/2015 House—Motion to accede adopted; Representative Kleeb, Representative Suellentrop and Representative Sawyer appointed as third conferees—HJ 1717
- 06/07/2015 Senate—Conference Committee Report was adopted; Yea: 21 Nay: 17—SJ 1159
- 06/10/2015 House—Conference Committee Report not adopted; Yea: 20 Nay: 95—HJ 1774
- 06/11/2015 House—Motion to reconsider adopted.—HJ 1897
- 06/11/2015 House—Conference Committee Report was adopted; Yea: 63 Nay: 45—HJ 1895
- 06/26/2015 House—Enrolled and presented to Governor on Tuesday, June 16, 2015—HJ 1906
- 06/26/2015 House—Approved by Governor on Tuesday, 16 June 2015—HJ 1902

**H 2110** Bill by Judiciary**Election of chief judge in each judicial district.**

- 01/23/2015 House—Introduced—HJ 113
- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117
- 02/13/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 112-N

**H 2111** Bill by Judiciary**Courts; district magistrate judge jurisdiction and power; county law libraries; code of civil procedure, items allowable as costs; court costs, fees, fines and restitution; debts owed to courts.**

- 01/23/2015 House—Introduced—HJ 113
- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117
- 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 3:30 PM Room 112N
- 02/05/2015 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 2111
- 02/11/2015 House—Committee of the Whole - Be passed—HJ 210
- 02/12/2015 House—Final Action - Passed; Yea: 111 Nay: 12—HJ 220
- 02/12/2015 Senate—Received and Introduced—SJ 105
- 02/13/2015 Senate—Referred to Committee on Judiciary—SJ 112
- 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 10:30 AM Room 346-S
- 03/19/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 312
- 03/25/2015 Senate—Committee of the Whole - Be passed as amended—SJ 386
- 03/25/2015 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 1

—SJ 406

- 03/31/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 571
- 03/31/2015 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 419
- 04/02/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 511
- 04/30/2015 House—Conference Committee Report was adopted; Yea: 117 Nay: 5—HJ 647
- 05/08/2015 House—Enrolled and presented to Governor on Friday, May 08, 2015—HJ 765
- 05/15/2015 House—Approved by Governor on Thursday, 14 May 2015—HJ 795

**H 2112** Bill by Judiciary

**Relating to county law libraries.**

- 01/23/2015 House—Introduced—HJ 113
- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117
- 01/30/2015 House—Hearing: Thursday, February 5, 2015 3:30 PM Room 112-N-CANCELLED
- 02/24/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 285
- 03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 325
- 03/04/2015 House—Hearing: Thursday, March 05, 2015, 3:30 PM Room 112N
- 03/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 343
- 03/23/2015 House—Committee of the Whole - Be passed as amended—HJ 487
- 03/24/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 1—HJ 501
- 03/24/2015 Senate—Received and Introduced—SJ 361
- 03/25/2015 Senate—Referred to Committee on Judiciary—SJ 380

**H 2113** Bill by Judiciary

**Relating to court-appointed special advocates.**

- 01/23/2015 House—Introduced—HJ 113
- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117

**H 2114** Bill by Judiciary

**Relating to subpoena of nonparty business records.**

- 01/23/2015 House—Introduced—HJ 113
- 01/26/2015 House—Referred to Committee on Judiciary—HJ 117
- 01/30/2015 House—Hearing: Tuesday, February 3, 2015, 3:30 PM Room 112-N-CANCELLED
- 02/03/2015 House—Hearing: Thursday, February 05, 2015, 3:30 PM Room 112N

**H 2115** Bill by Judiciary

**Senate Substitute for Substitute for HB 2115 by Committee on Judiciary - Electronic service of order or notice under the Kansas administrative**

**procedure act and the Kansas judicial review act.**

- 01/23/2015 House—Introduced—HJ 113  
 01/26/2015 House—Referred to Committee on Judiciary—HJ 117  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 112N  
 02/24/2015 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 284  
 02/26/2015 House—Committee of the Whole - Substitute bill be passed—HJ 317  
 02/26/2015 House—Emergency Final Action - Substitute passed; Yea: 123 Nay: 0—HJ 321  
 03/04/2015 Senate—Received and Introduced—SJ 223  
 03/05/2015 Senate—Referred to Committee on Judiciary—SJ 228  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 10:30 AM Room 346-S  
 03/23/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 325

- H 2116** Bill by Agriculture and Natural Resources  
**Making the channel cat fish the official fish of the state of Kansas.**  
 01/23/2015 House—Introduced—HJ 113  
 01/26/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 117
- H 2117** Bill by Agriculture and Natural Resources  
**Requiring the completion of a boater safety education course.**  
 01/23/2015 House—Introduced—HJ 113  
 01/26/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 117  
 02/12/2015 House—Hearing: Tuesday, February 17, 2015, 3:30 PM Room 346S
- H 2118** Bill by Health and Human Services  
**Podiatrists surgery treatment of the ankle.**  
 01/23/2015 House—Introduced—HJ 113  
 01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117  
 02/18/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 254  
 03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 325  
 03/05/2015 House—Hearing: Wednesday, March 11, 2015, 1:30 PM Room 546S
- H 2119** Bill by Health and Human Services  
**Mental health technicians' fees and examination.**  
 01/23/2015 House—Introduced—HJ 114  
 01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117  
 02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 546S  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 272  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

- H 2120** Bill by Health and Human Services  
**Board of nursing reinstatement of revoked licenses and reinstatement fee.**  
 01/23/2015 House—Introduced—HJ 114  
 01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117  
 02/03/2015 House—Hearing: Wednesday, February 04, 2015, 1:30 PM Room 546S  
 02/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 222  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2121** Bill by Health and Human Services  
**Board of nursing; assistant attorneys general.**  
 01/23/2015 House—Introduced—HJ 114  
 01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117  
 02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 546S  
 02/12/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 222  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307  
 03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 325  
 03/24/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 512
- H 2122** Bill by Health and Human Services  
**Advanced practice registered nurses; scope of practice and prescribing authority.**  
 01/23/2015 House—Introduced—HJ 114  
 01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117
- H 2123** Bill by Health and Human Services  
**Massage therapist licensure act.**  
 01/23/2015 House—Introduced—HJ 114  
 01/26/2015 House—Referred to Committee on Health and Human Services—HJ 117  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 546-S-CANCELLED  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 546S
- H 2124** Bill by Judiciary  
**Senate Substitute for HB 2124 by Committee on Judiciary - Amendments relating to the sale of cigarettes and tobacco products.**  
 01/26/2015 House—Introduced—HJ 117  
 01/27/2015 House—Referred to Committee on Judiciary—HJ 123



02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 112N  
 02/13/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 233  
 02/18/2015 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 254  
 02/18/2015 Senate—Received and Introduced—SJ 126  
 02/19/2015 Senate—Referred to Committee on Judiciary—SJ 135  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 10:30 AM Room 346-S  
 03/20/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 317  
 03/25/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 395  
 03/25/2015 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 406  
 03/31/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 571  
 03/31/2015 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 419  
 05/11/2015 Senate—Senator Pettey replaces Senator Haley on the Conference Committee—SJ 598  
 05/19/2015 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 745  
 05/21/2015 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 839  
 05/29/2015 House—Enrolled and presented to Governor on Friday, May 29, 2015—HJ 949  
 06/02/2015 House—Approved by Governor on Tuesday, 02 June 2015—HJ 1038

**H 2125** Bill by Federal and State Affairs  
**Alcoholic beverages; amendments regarding regulation by the division of alcoholic beverage control.**

01/26/2015 House—Introduced—HJ 117  
 01/27/2015 House—Referred to Committee on Federal and State Affairs—HJ 123  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 9:00 AM Room 346S  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 9:00 AM Room 346S  
 02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 211  
 03/18/2015 House—Committee of the Whole - Be passed as amended—HJ 402  
 03/19/2015 House—Final Action - Passed as amended; Yea: 120 Nay: 0—HJ 424  
 03/19/2015 Senate—Received and Introduced—SJ 294  
 03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317  
 03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S

**H 2126** Bill by Insurance  
**Updating risk-based capital instructions effective date, expiration date for property and casualty actuarial opinion law and increasing the cap on consulting fees for certain insurance companies.**

01/26/2015 House—Introduced—HJ 117  
 01/27/2015 House—Referred to Committee on Insurance—HJ 123  
 01/30/2015 House—Hearing: Monday, February 02, 2015, 3:30 PM Room 152S

02/05/2015 House—Committee Report recommending bill be passed by Committee on Insurance  
 02/11/2015 House—Committee of the Whole - Be passed—HJ 210  
 02/12/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 221  
 02/12/2015 Senate—Received and Introduced—SJ 105  
 02/13/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 112  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 9:30 AM Room 546-S  
 03/17/2015 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions and Insurance—SJ 263  
 03/24/2015 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 361  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

**H 2127** Bill by Taxation  
**Sales tax exemption for friends of hospice of Jefferson County.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Taxation—HJ 129

**H 2128** Bill by Taxation  
**Permitted use of tax information in certain tax actions and proceedings; tax liens upon personal property; tax warrants; time for returns and payment of tax; liability for persons responsible for collection of sales or compensating tax.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Taxation—HJ 129

**H 2129** Bill by Judiciary  
**Abolishing the death penalty and creating the crime of aggravated murder.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Judiciary—HJ 129  
 02/26/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 307

**H 2130** Bill by Judiciary  
**Relating to wrongful death actions; increasing the amount of damages that may be awarded.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Judiciary—HJ 129

**H 2131** Bill by Energy and Environment  
**Abandoned oil and gas well fund.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Energy and Environment—HJ 129  
 01/29/2015 House—Hearing: Monday, February 02, 2015, 9:00 AM Room 582N

02/10/2015 House—Hearing: Tuesday, February 10, 2015, 3:30 PM Room 346S  
 02/18/2015 House—Hearing: Friday, February 20, 2015, 9:00 AM Room 582N  
 02/20/2015 House—Committee Report recommending bill be passed by Committee on Energy and Environment—HJ 271  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 300  
 02/26/2015 House—Final Action - Passed as amended; Yea: 105 Nay: 18—HJ 311  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Utilities—SJ 223

- H 2132** Bill by Energy and Environment  
**Injected natural gas and property rights.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Energy and Environment—HJ 129  
 01/29/2015 House—Hearing: Monday, February 02, 2015, 9:00 AM Room 582N
- H 2133** Bill by Appropriations  
**Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Appropriations—HJ 129  
 01/28/2015 House—Hearing: Wednesday, January 28, 2015, 9:00 AM Room 112N
- H 2134** Bill by Appropriations  
**Authorizing consumer credit report security freezes for individuals less than 18 years old.**  
 01/27/2015 House—Introduced—HJ 120  
 01/28/2015 House—Referred to Committee on Appropriations—HJ 129  
 01/29/2015 House—Withdrawn from Committee on Appropriations; Referred to Committee on Financial Institutions—HJ 135  
 02/03/2015 House—Hearing: Thursday, February 05, 2015, 3:30 PM Room 152S  
 03/24/2015 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions—HJ 507
- H 2135** Bill by Joint Special Claims Against the State  
**Senate Substitute for HB 2135 by Committee on Ways and Means - For fiscal year 2016, authorizing the director of the budget to lapse moneys in certain state general fund accounts and transfer moneys from certain special revenue funds to the state general fund; excludes the legislative and judicial branches; further excludes debt service payments on bonds, KPERS employer contributions, certain department of education appropriations and any demand transfer to the school district capital improvements fund.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Appropriations—HJ 129  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 9:00 AM Room 112-N.  
 02/19/2015 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 263  
 03/11/2015 House—Committee of the Whole - Be passed—HJ 342

- 03/12/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 349  
 03/12/2015 Senate—Received and Introduced—SJ 249  
 03/13/2015 Senate—Referred to Committee on Ways and Means—SJ 255  
 03/16/2015 Senate—Hearing: Wednesday, March 18, 2015, 10:30 AM Room 548-S  
 03/23/2015 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Ways and Means—SJ 325  
 03/25/2015 Senate—Committee of the Whole - Substitute bill be passed as  
 amended—SJ 407  
 03/25/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea:  
 26 Nay: 13—SJ 407  
 03/30/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Ryckman, Representative Schwartz  
 and Representative Henry as conferees—HJ 566  
 03/30/2015 Senate—Motion to accede adopted; Senator Masterson, Senator  
 Denning and Senator Kelly appointed as conferees—SJ 415  
 04/01/2015 Senate—Conference Committee Report agree to disagree adopted;  
 Senator Masterson, Senator Denning and Senator Kelly appointed as  
 second conferees—SJ 443  
 04/02/2015 House—Conference Committee Report agree to disagree adopted;  
 Representative Ryckman, Representative Schwartz and Representative  
 Henry appointed as second conferees—HJ 593  
 05/20/2015 House—Representative Macheers replaces Representative Schwartz on  
 the Conference Committee—HJ 823  
 05/21/2015 House—Representative Ballard replaces Representative Henry on the  
 Conference Committee—HJ 904  
 06/03/2015 House—Representative Schwartz replaces Representative Macheers on  
 the Conference Committee—HJ 1607  
 06/03/2015 House—Representative Henry replaces Representative Ballard on the  
 Conference Committee—HJ 1607  
 06/12/2015 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—  
 SJ 1741  
 06/12/2015 House—Conference Committee Report was adopted; Yea: 102 Nay: 0—  
 HJ 1899  
 06/26/2015 House—Enrolled and presented to Governor on Tuesday, June 16, 2015  
 —HJ 1906  
 06/26/2015 House—Approved by Governor on Tuesday, 16 June 2015—HJ 1902

- H 2136** Bill by Representative Dannebohm  
**Providing homestead property tax refunds for renters.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Taxation—HJ 129

- H 2137** Bill by Corrections and Juvenile Justice  
**Enacting the police and citizen protection act; relating to use of body cameras  
 by law enforcement officers.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 129  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 1:30 PM Room 152S

- H 2138** Bill by Corrections and Juvenile Justice  
**Amending provisions relating to municipal appearance bonds.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 129  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 1:30 PM Room 152S
- H 2139** Bill by Representatives Rubin, Barker, Barton, Bradford, Hedke, Hildabrand,  
 Hutchins, K. Jones, Kiegerl, Lunn, Macheers, Osterman, Peck, Read,  
 Suellentrop, Sutton  
**Postsecondary education; tuition and fees for aliens.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Federal and State Affairs—HJ 129  
 02/19/2015 House—Withdrawn from Committee on Federal and State Affairs;  
 Referred to Committee on Education—HJ 261  
 02/20/2015 House—Hearing: Tuesday, February 24, 2015, 1:00 PM Room 112N
- H 2140** Bill by Corrections and Juvenile Justice  
**Relating to interlocutory appeals by the state; transfer of appeals by  
 prosecution to the supreme court.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 129  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 152
- H 2141** Bill by Corrections and Juvenile Justice  
**Licensure of bail enforcement agents by the attorney general.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 129
- H 2142** Bill by Insurance  
**Reconciling certain amendments to the local government budget election  
 requirements statute to clarify January 1, 2018, as the effective date  
 for the new provisions.**  
 01/27/2015 House—Introduced—HJ 121  
 01/28/2015 House—Referred to Committee on Insurance—HJ 129  
 01/30/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 152S  
 02/12/2015 House—Committee Report recommending bill be passed by Committee  
 on Insurance—HJ 222  
 02/18/2015 House—Committee of the Whole - Be passed—HJ 255  
 02/19/2015 House—Final Action - Passed; Yea: 106 Nay: 16—HJ 262  
 02/19/2015 Senate—Received and Introduced—SJ 135  
 02/20/2015 Senate—Referred to Committee on Financial Institutions and Insurance  
 —SJ 140  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 9:30 AM Room 546-S

- 03/18/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 276
- 03/24/2015 Senate—Committee of the Whole - Be passed as amended—SJ 367
- 03/25/2015 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 384
- 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwab, Representative Bruchman and Representative Houston as conferees—HJ 558
- 03/30/2015 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 415
- 05/13/2015 Senate—Senator Kelly replaces Senator Hawk on the Conference Committee—SJ 606
- 06/02/2015 House—Representative Sawyer replaces Representative Houston on the Conference Committee—HJ 1043
- 06/06/2015 Senate—Senator Donovan replaces Senator Longbine on the Conference Committee—SJ 1141
- 06/06/2015 Senate—Senator Tyson replaces Senator Bowers on the Conference Committee—SJ 1141
- 06/06/2015 Senate—Senator Holland replaces Senator Kelly on the Conference Committee—SJ 1141
- 06/06/2015 House—Representative Kleeb replaces Representative Schwab on the Conference Committee—HJ 1717
- 06/06/2015 House—Representative Suellentrop replaces Representative Bruchman on the Conference Committee—HJ 1717
- 06/06/2015 House—Representative Sawyer replaces Representative Houston on the Conference Committee—HJ 1717
- 06/26/2015 Senate—Conference Committee Report was adopted; Yea: 24 Nay: 8—SJ 1746
- 06/26/2015 House—Conference Committee Report was adopted; Yea: 85 Nay: 23—HJ 1903
- 06/26/2015 House—Enrolled and presented to Governor on Monday, June 29, 2015—HJ 1907
- 06/26/2015 House—Approved by Governor on Tuesday, 30 June 2015—HJ 1908

**H 2143** Bill by Representative Ward  
**Lobbying restrictions; certain elected state officers and executive staff.**

- 01/27/2015 House—Introduced—HJ 127
- 01/28/2015 House—Referred to Committee on Elections—HJ 129

**H 2144** Bill by Representative Ward  
**Voter registration; affidavit to verify name change.**

- 01/27/2015 House—Introduced—HJ 127
- 01/28/2015 House—Referred to Committee on Elections—HJ 129

**H 2145** Bill by Representative Ward  
**Help Kansas vote act.**

- 01/27/2015 House—Introduced—HJ 127
- 01/28/2015 House—Referred to Committee on Elections—HJ 129

- H 2146** Bill by Representative Ward  
**County election officers; nepotism rule applied.**  
 01/27/2015 House—Introduced—HJ 127  
 01/28/2015 House—Referred to Committee on Elections—HJ 129
- H 2147** Bill by Corrections and Juvenile Justice  
**Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.**  
 01/28/2015 House—Introduced—HJ 128  
 01/29/2015 House—Referred to Committee on Judiciary—HJ 135  
 02/13/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 112-N
- H 2148** Bill by Representatives Clayton, Becker, Bridges, Clark, Dierks, Doll, Finney, Hibbard, Highberger, Hildabrand, Hill, Hineman, Kuether, Lusk, Moxley, Phillips, Rooker, Rubin, Tietze, Trimmer, Ward, Whipple, K. Williams, Wolfe Moore  
**Kansas transparency act.**  
 01/28/2015 House—Introduced—HJ 129  
 01/29/2015 House—Referred to Committee on General Government Budget—HJ 135  
 02/10/2015 House—Hearing: Friday, February 13, 2015, 1:30 PM Room 218N  
 02/25/2015 House—Committee Report recommending bill be passed as amended by Committee on General Government Budget—HJ 295  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2149** Bill by Health and Human Services  
**Senate Substitute for HB 2149 by Committee on Public Health and Welfare - Kansas program of medical assistance; relating to donor human breast milk and medications used under medicaid.**  
 01/28/2015 House—Introduced—HJ 129  
 01/29/2015 House—Referred to Committee on Health and Human Services—HJ 135  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 546-S  
 02/24/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 284  
 02/26/2015 House—Committee of the Whole - Be passed—HJ 317  
 02/26/2015 House—Emergency Final Action - Passed; Yea: 123 Nay: 0—HJ 318  
 03/04/2015 Senate—Received and Introduced—SJ 223  
 03/05/2015 Senate—Referred to Committee on Public Health and Welfare—SJ 228  
 03/16/2015 Senate—Hearing: Monday, March 16, 2015, 1:30 PM Room 118-N  
 03/19/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 315  
 03/23/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 320  
 03/24/2015 Senate—Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 364  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Concannon

- and Representative Ward as conferees—HJ 558
- 03/30/2015 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as conferees—SJ 415
- 03/31/2015 Senate—Senator Francisco replaces Senator Kelly on the Conference Committee—SJ 419
- 04/01/2015 Senate—Conference Committee Report agree to disagree adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as second conferees—SJ 443
- 04/02/2015 House—Conference Committee Report agree to disagree adopted; Representative Hawkins, Representative Concannon and Representative Ward appointed as second conferees—HJ 594
- 05/04/2015 Senate—Conference Committee Report was adopted; Yea: 31 Nay: 6—SJ 544
- 05/08/2015 House—Conference Committee Report was adopted; Yea: 82 Nay: 31—HJ 763
- 05/15/2015 House—Enrolled and presented to Governor on Friday, May 15, 2015—HJ 802
- 05/19/2015 House—Approved by Governor on Tuesday, 19 May 2015—HJ 816

- H 2150** Bill by Vision 2020  
**Kansas death with dignity act.**  
 01/28/2015 House—Introduced—HJ 129  
 01/29/2015 House—Referred to Committee on Health and Human Services—HJ 135
- H 2151** Bill by Appropriations  
**Substitute for HB 2151 by Committee on Judiciary - Grand juries; witnesses to grand jury instructions.**  
 01/28/2015 House—Introduced—HJ 129  
 01/29/2015 House—Referred to Committee on Judiciary—HJ 135  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 3:30 PM Room 112-N  
 03/10/2015 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 338
- H 2152** Bill by Appropriations  
**Giving full-time state employees one additional discretionary holiday each year.**  
 01/28/2015 House—Introduced—HJ 129  
 01/29/2015 House—Referred to Committee on Appropriations—HJ 135
- H 2153** Bill by Appropriations  
**Taxpayer empowerment, accountability and transparency in state contracting act.**  
 01/28/2015 House—Introduced—HJ 129  
 01/29/2015 House—Referred to Committee on Appropriations—HJ 135
- H 2154** Bill by Veterans, Military and Homeland Security



**Authorizing private sector employers to establish a hiring preference for veterans.**

- 01/28/2015 House—Introduced—HJ 129  
 01/29/2015 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 135  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 9:00 AM Room 152S  
 02/13/2015 House—Committee Report recommending bill be passed by Committee on Veterans, Military and Homeland Security—HJ 233  
 02/24/2015 House—Committee of the Whole - Be passed as amended—HJ 284  
 02/25/2015 House—Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 289  
 02/25/2015 Senate—Received and Introduced—SJ 172  
 02/26/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 186  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 10:30 AM Room 144-S  
 03/18/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 270  
 04/01/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 449  
 04/02/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 456  
 04/02/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Goico, Representative Osterman and Representative Lane as conferees—HJ 597  
 04/29/2015 Senate—Motion to accede adopted; Senator Ostmeyer, Senator LaTurner and Senator Faust-Goudeau appointed as conferees—SJ 522  
 05/13/2015 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 652  
 05/14/2015 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 777  
 05/26/2015 House—Enrolled and presented to Governor on Friday, May 22, 2015—HJ 908  
 05/29/2015 House—Approved by Governor on Friday, 29 May 2015—HJ 933

**H 2155** Bill by Veterans, Military and Homeland Security  
**Senate Substitute for HB 2155 by Committee on Federal and State Affairs — Charitable gaming, bingo and raffles regulation; lottery, sale of tickets; fantasy sports.**

- 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 135  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 9:00 AM Room 152S  
 02/18/2015 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 255  
 02/20/2015 House—Committee of the Whole - Be passed as amended—HJ 269  
 02/23/2015 House—Final Action - Passed as amended; Yea: 117 Nay: 0—HJ 279  
 02/23/2015 Senate—Received and Introduced—SJ 150  
 02/24/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 155  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 10:30 AM Room 144-S  
 03/23/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 324  
 03/25/2015 Senate—Committee of the Whole - Substitute bill be passed as

- amended—SJ 404
- 03/25/2015 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 407
- 03/31/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Goico, Representative Osterman and Representative Lane as conferees—HJ 572
- 03/31/2015 Senate—Motion to accede adopted; Senator Ostmeyer, Senator LaTurner and Senator Faust-Goudeau appointed as conferees—SJ 419
- 03/31/2015 House—Representative Brunk replaces Representative Goico on the Conference Committee—HJ 573
- 03/31/2015 House—Representative Couture-Lovelady replaces Representative Osterman on the Conference Committee—HJ 573
- 03/31/2015 House—Representative Tietze replaces Representative Lane on the Conference Committee—HJ 573
- 05/04/2015 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 1—SJ 545
- 05/07/2015 House—Conference Committee Report was adopted; Yea: 98 Nay: 21—HJ 722
- 05/15/2015 House—Enrolled and presented to Governor on Friday, May 15, 2015—HJ 802
- 05/19/2015 House—Approved by Governor on Tuesday, 19 May 2015—HJ 816

- H 2156** Bill by Agriculture and Natural Resources  
**Public water supply storage; interest rate change.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 135  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 3:30PM Room 346-S-CANCELLED  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 346S  
 02/17/2015 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 249  
 02/19/2015 House—Committee of the Whole - Committee Report be adopted  
 02/19/2015 House—Committee of the Whole - Be passed as amended—HJ 263  
 02/20/2015 House—Final Action - Passed as amended;—HJ 267  
 02/23/2015 Senate—Received and Introduced—SJ 150  
 02/24/2015 Senate—Referred to Committee on Natural Resources—SJ 155  
 02/26/2015 Senate—Hearing: Wednesday, March 04, 2015, 8:30 AM Room 159-S

- H 2157** Bill by Transportation  
**Creating the seat belt safety fund and increasing the fine for adult seat belt violations.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Transportation—HJ 135  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 1:30 PM Room 582N

- H 2158** Bill by Judiciary  
**Increasing sentence for intentional murder in the second degree to mandatory**

**minimum term of imprisonment of 25 years ("hard 25").**

01/28/2015 House—Introduced—HJ 131

01/29/2015 House—Referred to Committee on Judiciary—HJ 135

**H 2159** Bill by Judiciary**Substitute for HB 2159 by Committee on Judiciary - Authorizing a driver's license with a DUI-IID designation; creating the DUI-IID designation fund; amending authorized restrictions of driving privileges, ignition interlock device; amending timeframe for expungement of DUI and other driving offenses.**

01/28/2015 House—Introduced—HJ 131

01/29/2015 House—Referred to Committee on Judiciary—HJ 135

02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 112N

02/24/2015 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 284

02/26/2015 House—Committee of the Whole - Substitute bill be passed—HJ 317

02/26/2015 House—Emergency Final Action - Substitute passed; Yea: 71 Nay: 52—HJ 319

03/04/2015 Senate—Received and Introduced—SJ 223

03/05/2015 Senate—Referred to Committee on Judiciary—SJ 228

03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 10:30 AM Room 346-S

03/19/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 312

03/25/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 395

03/25/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea: 39 Nay: 0—SJ 408

03/31/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 571

03/31/2015 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 419

05/11/2015 Senate—Senator Pettey replaces Senator Haley on the Conference Committee—SJ 598

05/13/2015 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 661

05/14/2015 House—Conference Committee Report was adopted; Yea: 84 Nay: 38—HJ 786

05/26/2015 House—Enrolled and presented to Governor on Friday, May 22, 2015—HJ 908

05/28/2015 House—Approved by Governor on Wednesday, 27 May 2015—HJ 913

**H 2160** Bill by Judiciary**Docket fees; electronic filing and management fund.**

01/28/2015 House—Introduced—HJ 131

01/29/2015 House—Referred to Committee on Judiciary—HJ 135

02/03/2015 House—Hearing: Wednesday, February 04, 2015, 3:30 PM Room 112N

- H 2161** Bill by Judiciary  
**Relating to disputes involving church congregations.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Judiciary—HJ 135
- H 2162** Bill by Local Government  
**Alcoholic beverages; licensee location restrictions; exemption in core commercial districts.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Local Government—HJ 135  
 02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 281N  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 274  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2163** Bill by Local Government  
**Municipalities; contracts with other municipalities.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Local Government—HJ 135  
 02/03/2015 House—Hearing: Thursday, February 05, 2015, 1:30 PM Room 281N  
 02/18/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 255  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 293  
 02/26/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 312  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Local Government—SJ 222  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 9:30 AM Room 159-S
- H 2164** Bill by Local Government  
**Certain sewer districts; construction contract bid threshold raised.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Local Government—HJ 135  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 281N  
 02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 211  
 02/19/2015 House—Committee of the Whole - Committee Report be adopted  
 02/19/2015 House—Committee of the Whole - Be passed as amended—HJ 263  
 02/20/2015 House—Final Action - Passed as amended;—HJ 268  
 02/23/2015 Senate—Received and Introduced—SJ 150  
 02/24/2015 Senate—Referred to Committee on Local Government—SJ 155  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 9:30 AM Room 159-S
- H 2165** Bill by Local Government  
**Municipalities, contracts; filling vacancies in certain improvement districts; bid threshold, sewer district construction contracts.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Local Government—HJ 135  
 01/30/2015 House—Hearing: Tuesday, February 03, 2015, 1:30 PM Room 281N

02/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 211  
 02/19/2015 House—Committee of the Whole - Committee Report be adopted  
 02/19/2015 House—Committee of the Whole - Be passed as amended—HJ 263  
 02/20/2015 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 268  
 02/23/2015 Senate—Received and Introduced—SJ 150  
 02/24/2015 Senate—Referred to Committee on Local Government—SJ 155  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 9:25 AM Room 159-S  
 03/18/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 291  
 03/23/2015 Senate—Committee of the Whole - Be passed as amended—SJ 320  
 03/24/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 365  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Huebert, Representative Phillips and Representative Alcalá as conferees—HJ 558  
 03/30/2015 Senate—Motion to accede adopted; Senator Pyle, Senator Fitzgerald and Senator Faust-Goudeau appointed as conferees—SJ 415  
 05/04/2015 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 7—SJ 546  
 05/06/2015 House—Conference Committee Report not adopted; Yea: 57 Nay: 65—HJ 714  
 05/07/2015 House—Motion to Reconsider Failed—HJ 724

- H 2166** Bill by Appropriations  
**Creating an exception to maximum vehicle length requirements for custom harvesters.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 135
- H 2167** Bill by Taxation  
**Increasing interest rate on delinquent real property taxes.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Taxation—HJ 135  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 3:30 PM Room 582-N-CANCELLED  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 3:30 PM Room 582-N  
 03/11/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 344
- H 2168** Bill by Taxation  
**Property tax exemption and classification for property used for bed and breakfast purposes.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Taxation—HJ 135  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 582N  
 03/11/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 344

- H 2169** Bill by Taxation  
**Sales tax exemption for assistance league of Wichita.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Taxation—HJ 135  
 02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 582N
- H 2170** Bill by Children and Seniors  
**Senate Substitute for Substitute for HB 2170 by Committee on Education --  
 Creating the freedom from unsafe restraint and seclusion act.**  
 01/28/2015 House—Introduced—HJ 131  
 01/29/2015 House—Referred to Committee on Children and Seniors—HJ 135  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 9:00 AM Room 218N  
 02/19/2015 House—Committee Report recommending substitute bill be passed by  
 Committee on Children and Seniors—HJ 263  
 02/25/2015 House—Committee of the Whole - Substitute bill be passed as amended  
 —HJ 300  
 02/26/2015 House—Final Action - Substitute passed as amended; Yea: 122 Nay: 1  
 —HJ 312  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Education—SJ 222  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 1:30 PM Room 144-S  
 03/19/2015 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Education—SJ 308  
 03/25/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 395  
 03/25/2015 Senate—Emergency Final Action - Substitute passed; Yea: 38 Nay: 1—  
 SJ 408  
 03/31/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative O'Brien, Representative Dove and  
 Representative Victors as conferees—HJ 572  
 03/31/2015 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and  
 Senator Hensley appointed as conferees—SJ 419  
 04/01/2015 Senate—Senator Pettey replaces Senator Hensley on the Conference  
 Committee—SJ 452  
 04/29/2015 Senate—Senator Hensley replaces Senator Pettey on the Conference  
 Committee—SJ 522  
 05/06/2015 House—Representative Rubin replaces Representative Dove on the  
 Conference Committee—HJ 717  
 05/14/2015 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 2—  
 SJ 715  
 05/18/2015 House—Conference Committee Report was adopted; Yea: 111 Nay: 1—  
 HJ 806  
 05/26/2015 House—Enrolled and presented to Governor on Friday, May 22, 2015—  
 HJ 908  
 05/28/2015 House—Approved by Governor on Wednesday, 27 May 2015—HJ 913
- H 2171** Bill by Federal and State Affairs  
**Kansas lottery; sale of tickets; advertising; underage purchase of ticket**

**prohibited.**

- 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140  
 03/13/2015 House—Withdrawn from Committee on Federal and State Affairs;  
 Referred to Committee on Commerce, Labor and Economic Development  
 —HJ 370  
 03/18/2015 House—Hearing: Wednesday, March 18, 2015, 1:30 PM Room 346-S

- H 2172** Bill by Representative Whipple  
**Nurse aide trainees; criminal history record information check; before the state of school.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Health and Human Services—HJ 140
- H 2173** Bill by Judiciary  
**Supreme court and court of appeals retention elections campaign finance.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Elections—HJ 140
- H 2174** Bill by Federal and State Affairs  
**Tax credit for low income students scholarship program act amendments.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Education Budget—HJ 140  
 02/03/2015 House—Withdrawn from Committee on Education Budget; Referred to Committee on Education—HJ 150  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 112-N  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 270
- H 2175** Bill by Federal and State Affairs  
**Prohibit use of carbon monoxide chambers for euthanizing dogs and cats.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 140  
 03/06/2015 House—Hearing: Tuesday, March 10, 2015, 3:30 PM Room 346-S
- H 2176** Bill by Health and Human Services  
**Prescription drug fills and refills.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Health and Human Services—HJ 140  
 02/02/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Insurance—HJ 143  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 152-S

- H 2177** Bill by Energy and Environment  
**Senate Substitute for HB 2177 by Committee on Natural Resources -  
 Establishing water conservation areas.**
- 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Local Government—HJ 140  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 1:30 PM Room 281N  
 02/18/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Local Government—HJ 255  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 293  
 02/26/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 313  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222  
 03/09/2015 Senate—Hearing: Wednesday, March 11, 2015, 8:30 AM Room 159-S  
 03/23/2015 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Natural Resources—SJ 325  
 03/25/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 395  
 03/25/2015 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—  
 SJ 408  
 04/01/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Schwartz, Representative Boldra and  
 Representative Victors as conferees—HJ 585  
 04/01/2015 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen  
 and Senator Francisco appointed as conferees—SJ 444  
 04/30/2015 House—Representative Barker replaces Representative Schwartz on the  
 Conference Committee—HJ 658  
 04/30/2015 House—Representative Macheers replaces Representative Boldra on  
 the Conference Committee—HJ 658  
 04/30/2015 House—Representative Carmichael replaces Representative Victors on  
 the Conference Committee—HJ 658  
 05/11/2015 Senate—Senator King replaces Senator Powell on the Conference  
 Committee—SJ 598  
 05/11/2015 Senate—Senator Smith replaces Senator Kerschen on the Conference  
 Committee—SJ 598  
 05/11/2015 Senate—Senator Pettey replaces Senator Francisco on the Conference  
 Committee—SJ 598  
 06/04/2015 Senate—Conference Committee Report not adopted; Yea: 11 Nay: 25—  
 SJ 1064  
 06/04/2015 Senate—Motion to reconsider - Adopted—SJ 1069  
 06/04/2015 Senate—Conference Committee Report not adopted; Senator King,  
 Senator Smith and Senator Pettey appointed as second conferees—SJ 1064  
 06/05/2015 House—Motion to accede adopted; Representative Kleeb,  
 Representative Suellentrop and Representative Sawyer appointed as  
 second conferees—HJ 1646
- H 2178** Bill by Taxation  
**Increasing the Kansas standard deduction of an individual.**
- 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Taxation—HJ 140



- H 2179** Bill by Taxation  
**Property taxation; recording of mineral interests.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Taxation—HJ 140  
 02/20/2015 House—Hearing: Tuesday, February 24, 2015, 3:30 PM Room 582N
- H 2180** Bill by Transportation  
**Creating temporary visitor's driver's license.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Transportation—HJ 140
- H 2181** Bill by Transportation  
**Increasing certificate of title fees on motor vehicles.**  
 01/29/2015 House—Introduced—HJ 134  
 01/30/2015 House—Referred to Committee on Transportation—HJ 140  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N
- H 2182** Bill by Elections  
**Restrictions and exceptions for campaign finance solicitations.**  
 01/29/2015 House—Introduced—HJ 137  
 01/30/2015 House—Referred to Committee on Elections—HJ 140  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 281-N-CANCELLED  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 281N  
 02/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 232  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307  
 03/18/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 396  
 03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 458
- H 2183** Bill by Elections  
**Governmental ethics; lobbying; campaign finance.**  
 01/29/2015 House—Introduced—HJ 137  
 01/30/2015 House—Referred to Committee on Elections—HJ 140  
 02/03/2015 House—Hearing: Wednesday, February 04, 2015, 1:30 PM Room 281N  
 02/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 232  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 293  
 02/26/2015 House—Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 313  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Ethics and Elections—SJ 222  
 03/06/2015 Senate—Hearing: Thursday, March 12, 2015, 9:30 AM Room 142-S  
 03/19/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics and Elections—SJ 309  
 03/23/2015 Senate—Committee of the Whole - Be passed as further amended—SJ

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- 03/24/2015 Senate—Final Action - Passed as amended; Yea: 29 Nay: 9—SJ 365  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kahrs, Representative Esau and Representative Sawyer as conferees—HJ 558  
 03/30/2015 Senate—Motion to accede adopted; Senator Holmes, Senator Fitzgerald and Senator Faust-Goudeau appointed as conferees—SJ 414  
 05/30/2015 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 11—SJ 810  
 05/31/2015 House—Conference Committee Report was adopted; Yea: 66 Nay: 48—HJ 1003  
 06/02/2015 House—Enrolled and presented to Governor on Tuesday, June 02, 2015—HJ 1043  
 06/05/2015 House—Approved by Governor on Friday, 05 June 2015—HJ 1677

**H 2184** Bill by Elections**Governmental ethics; limitations on gifts and travel; lobbyist filings.**

- 01/29/2015 House—Introduced—HJ 137  
 01/30/2015 House—Referred to Committee on Elections—HJ 140  
 02/03/2015 House—Hearing: Wednesday, February 04, 2015, 1:30 PM Room 281N  
 02/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 222  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2185** Bill by Elections**Elections; polling places; unified school districts.**

- 01/29/2015 House—Introduced—HJ 137  
 01/30/2015 House—Referred to Committee on Elections—HJ 140  
 02/03/2015 House—Hearing: Wednesday, February 04, 2015, 1:30 PM Room 281N  
 02/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 232  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2186** Bill by Representative Todd**Prohibiting the use of state aid by public postsecondary educational institutions to support certain academic entities that are academically boycotting certain countries where certain institutions of higher education are located.**

- 01/29/2015 House—Introduced—HJ 137  
 01/30/2015 House—Referred to Committee on Education—HJ 140

**H 2187** Bill by Federal and State Affairs**Creating the Kansas unborn child protection from dismemberment abortion act.**

- 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140

- H 2188** Bill by Representative Todd  
**Driver's licenses; requiring entering into a payment plan for certain individuals to receive restricted driving privileges when license has expired while on suspension.**  
 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Transportation—HJ 140  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N
- H 2189** Bill by Federal and State Affairs  
**Limits on microbrewery production and distribution.**  
 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140
- H 2190** Bill by Federal and State Affairs  
**Saving communities amendments to the personal and family protection act.**  
 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 9:00 AM Room 346-S-CANCELLED
- H 2191** Bill by Federal and State Affairs  
**Alcoholic beverages; sampling by distributor licensees.**  
 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 9:00 AM Room 346-S  
 02/20/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 271  
 03/18/2015 House—Committee of the Whole - Be passed—HJ 399  
 03/19/2015 House—Final Action - Passed; Yea: 111 Nay: 9—HJ 425  
 03/19/2015 Senate—Received and Introduced—SJ 294  
 03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317  
 03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S
- H 2192** Bill by Energy and Environment  
**Kansas storage tank act.**  
 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Energy and Environment—HJ 140  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 9:00 AM Room 582N  
 02/23/2015 House—Committee Report recommending bill be passed by Committee on Energy and Environment—HJ 280  
 02/25/2015 House—Committee of the Whole - Be passed—HJ 299  
 02/26/2015 House—Final Action - Passed; Yea: 97 Nay: 26—HJ 314  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222  
 03/09/2015 Senate—Hearing: Wednesday, March 11, 2015, 8:30 AM Room 159-S  
 03/18/2015 Senate—Committee Report recommending bill be passed by Committee on Natural Resources—SJ 292  
 03/23/2015 Senate—Committee of the Whole - Be passed—SJ 320

03/24/2015 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 365  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015  
 —HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

**H 2193** Bill by Energy and Environment  
**Solid and hazardous waste and the risk management program act.**  
 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Energy and Environment—HJ 140  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 9:00 AM Room 582N  
 02/23/2015 House—Committee Report recommending bill be passed by Committee  
 on Energy and Environment—HJ 280  
 02/25/2015 House—Committee of the Whole - Be passed—HJ 299  
 02/26/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 314  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Natural Resources—SJ 222  
 03/09/2015 Senate—Hearing: Wednesday, March 11, 2015, 8:30 AM Room 159-S  
 03/11/2015 Senate—Hearing: Thursday, March 12, 2015, 8:30 AM Room 159-S  
 03/19/2015 Senate—Committee Report recommending bill be passed as amended  
 by Committee on Natural Resources—SJ 312  
 03/23/2015 Senate—Committee of the Whole - Be passed as amended—SJ 320  
 03/24/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 366  
 03/31/2015 House—Concurred with amendments; Yea: 116 Nay: 0—HJ 569  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015  
 —HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

**H 2194** Bill by Transportation  
**Establishing a safety corridor program.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Transportation—HJ 150  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N

**H 2195** Bill by Transportation  
**Providing for increased penalties for right-of-way violations.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Transportation—HJ 150  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 582N  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 582-N

**H 2196** Bill by Taxation  
**De minimis abandoned property.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Taxation—HJ 150  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 3:30 PM Room 582N  
 03/11/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Taxation—HJ 344

- H 2197** Bill by Taxation  
**Cities; land banks; municipalities may defer or reamortize special assessments.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Local Government—HJ 150  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 281-N  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 274  
 03/11/2015 House—Committee of the Whole - Be passed as amended—HJ 342  
 03/12/2015 House—Final Action - Passed as amended; Yea: 119 Nay: 2—HJ 350  
 03/12/2015 Senate—Received and Introduced—SJ 249  
 03/13/2015 Senate—Referred to Committee on Local Government—SJ 255
- H 2198** Bill by Judiciary  
**Possession or consumption of alcoholic beverage by minor; immunity from liability for minor seeking medical assistance needed due to alcohol consumption.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Judiciary—HJ 150  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 3:30 PM Room 112N  
 02/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 264  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2199** Bill by Education  
**School districts; human sexuality education; policies and procedures.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Education—HJ 150  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 112-N  
 02/20/2015 House—Committee Report recommending bill be passed by Committee on Education—HJ 270  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307
- H 2200** Bill by Federal and State Affairs  
**Substitute for HB 2200 by Committee on Commerce, Labor and Economic Development - Alcoholic liquor; county option retailers act; grocery stores and convenience stores.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 150  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 346-S-CANCELLED  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 346S  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 346S  
 02/10/2015 House—Hearing: Friday, February 13, 2015, 1:30 PM Room 346S  
 02/25/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 293

03/18/2015 House—Withdrawn from Calendar, Rereferred to Committee on Commerce, Labor and Economic Development—HJ 396  
 04/29/2015 House—Hearing: Monday, May 04, 2015, 1:30 PM Room 346-S  
 05/05/2015 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 704

- H 2201** Bill by Representative Wilson  
**Adult care homes; staffing, inspections, admissions, reporting and penalties.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Children and Seniors—HJ 150  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 9:00 AM Room 218-N
- H 2202** Bill by Health and Human Services  
**Relating to service provider audits under the Kansas program of medical assistance.**  
 02/02/2015 House—Introduced—HJ 143  
 02/03/2015 House—Referred to Committee on Health and Human Services—HJ 150  
 02/13/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 546-S  
 02/20/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 267  
 03/17/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 378
- H 2203** Bill by Education Budget Committee  
**School district agreements for consolidation of administrative services.**  
 02/02/2015 House—Introduced—HJ 146  
 02/03/2015 House—Referred to Committee on Education—HJ 150  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 112-N
- H 2204** Bill by Health and Human Services  
**Enacting the claim information reporting act and providing for short-term medical plans.**  
 02/02/2015 House—Introduced—HJ 146  
 02/03/2015 House—Referred to Committee on Insurance—HJ 150
- H 2205** Bill by Health and Human Services  
**Advanced practice registered nurse.**  
 02/03/2015 House—Introduced—HJ 149  
 02/04/2015 House—Referred to Committee on Appropriations—HJ 156
- H 2206** Bill by Judiciary  
**Enacting the gun violence restraining order act; amending the protection from abuse act; amending criminal distribution of firearms; criminalizing possession of a firearm by a domestic batterer.**  
 02/03/2015 House—Introduced—HJ 149

02/04/2015 House—Referred to Committee on Judiciary—HJ 156

**H 2207** Bill by Education

**Development and implementation of ethnic studies in schools.**

02/03/2015 House—Introduced—HJ 149

02/04/2015 House—Referred to Committee on Education—HJ 156

02/19/2015 House—Hearing: Friday, February 20, 2015, 1:00 PM Room 112N

02/26/2015 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 307

**H 2208** Bill by Federal and State Affairs

**Prohibition on sales of powdered alcohol.**

02/03/2015 House—Introduced—HJ 149

02/04/2015 House—Referred to Committee on Federal and State Affairs—HJ 156

02/13/2015 House—Hearing: Tuesday, February 17, 2015, 9:00 AM Room 346-S

02/20/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 271

**H 2209** Bill by Taxation

**Tax credits; individual development account program; availability of credits.**

02/03/2015 House—Introduced—HJ 149

02/04/2015 House—Referred to Committee on Taxation—HJ 156

02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 582N

03/13/2015 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 369

**H 2210** Bill by Elections

**County commission boards; expansion of commissioners; special election.**

02/03/2015 House—Introduced—HJ 149

02/04/2015 House—Referred to Committee on Elections—HJ 156

**H 2211** Bill by Elections

**Campaign finance; soliciting campaign funds.**

02/03/2015 House—Introduced—HJ 149

02/04/2015 House—Referred to Committee on Elections—HJ 156

02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 281-N-CANCELLED

02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 281N

**H 2212** Bill by Elections

**City political committees.**

02/03/2015 House—Introduced—HJ 149

02/04/2015 House—Referred to Committee on Elections—HJ 156

02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 281-N-CANCELLED

02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 281N

02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 281N

- 02/19/2015 House—Committee Report recommending bill be passed by Committee on Elections—HJ 263  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

- H 2213** Bill by Elections  
**Campaign finance; increasing contribution limits; contributions received during primary period.**  
 02/03/2015 House—Introduced—HJ 149  
 02/04/2015 House—Referred to Committee on Elections—HJ 156  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 281N  
 02/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 263  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307  
 03/18/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 396  
 03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 458
- H 2214** Bill by Elections  
**Procedure of appointment when certain vacancies of office or nomination occur.**  
 02/03/2015 House—Introduced—HJ 149  
 02/04/2015 House—Referred to Committee on Elections—HJ 156  
 02/05/2015 House—Hearing: Monday, February 9, 2015, 1:30 PM Room 281-N-CANCELLED  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 281N  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 281N  
 02/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 263  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2215** Bill by Elections  
**Campaign finance; transfer of campaign funds.**  
 02/03/2015 House—Introduced—HJ 149  
 02/04/2015 House—Referred to Committee on Elections—HJ 156  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 281N  
 02/19/2015 House—Committee Report recommending bill be passed by Committee on Elections—HJ 263  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307  
 03/18/2015 House—Withdrawn from Committee on Appropriations; re referred to Committee on Elections—HJ 396  
 03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 458
- H 2216** Bill by Financial Institutions  
**Amending the Kansas money transmitter act and the Kansas mortgage**



**business act and creating the Kansas ABLE savings program.**

- 02/03/2015 House—Introduced—HJ 149  
 02/04/2015 House—Referred to Committee on Financial Institutions—HJ 156  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 3:30 PM Room 152S  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions—HJ 272  
 02/24/2015 House—Committee of the Whole - Be passed as amended—HJ 284  
 02/25/2015 House—Final Action - Passed as amended; Yea: 109 Nay: 12—HJ 290  
 02/25/2015 Senate—Received and Introduced—SJ 172  
 02/26/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 186  
 03/06/2015 Senate—Hearing: Thursday, March 12, 2015, 9:30 AM Room 546-S  
 03/18/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 284  
 03/24/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 375  
 03/25/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 384  
 03/30/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative DeGraaf, Representative Kelly and Representative Frownfelter as conferees—HJ 566  
 03/30/2015 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 416  
 03/31/2015 House—Representative Burroughs replaces Representative Frownfelter on the Conference Committee—HJ 572  
 04/01/2015 House—Concurred with amendments in conference; Yea: 116 Nay: 4—HJ 585  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 10, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 15 April 2015—HJ 608

**H 2217** Bill by Corrections and Juvenile Justice**Racial profiling data collection and reporting requirements.**

- 02/03/2015 House—Introduced—HJ 149  
 02/04/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 156

**H 2218** Bill by Corrections and Juvenile Justice**Amending burglary to exclude premises that are the time open to the public.**

- 02/03/2015 House—Introduced—HJ 153  
 02/04/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 156  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 152S  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 270  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

**H 2219** Bill by Utilities and Telecommunications**Prohibiting use of a wireless communication device while operating a motor**

**vehicle; exceptions; penalties.**

02/03/2015 House—Introduced—HJ 153

02/04/2015 House—Referred to Committee on Utilities and Telecommunications—  
HJ 156

02/10/2015 House—Hearing: Tuesday, February 10, 2015, 9:00 AM Room 582N

- H 2220** Bill by Representatives Whipple, Alcalá, Ballard, Bridges, Burroughs, Carmichael, Clayton, Curtis, Dierks, Henderson, Highberger, Houston, Kuether, Lane, Lusk, Ousley, Rooker, Tietze, Trimmer, Victors, Ward, Wolfe Moore

**Teachers' contracts; due process.**

02/03/2015 House—Introduced—HJ 153

02/04/2015 House—Referred to Committee on Education—HJ 156

- H 2221** Bill by Judiciary

**Grand juries; witnesses to grand jury instructions.**

02/04/2015 House—Introduced—HJ 155

02/05/2015 House—Referred to Committee on Judiciary—HJ 170

02/13/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 112-  
N02/20/2015 House—Committee Report recommending bill be passed by Committee  
on Judiciary—HJ 274

03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

- H 2222** Bill by Judiciary

**Requiring registration under the Kansas offender registration act for certain municipal ordinance violations.**

02/04/2015 House—Introduced—HJ 155

02/05/2015 House—Referred to Committee on Judiciary—HJ 170

- H 2223** Bill by Federal and State Affairs

**Alcoholic liquor; infusing authorized; requirements for citations of liquor control act violations; powdered alcohol prohibited; wine dispensing machines authorized; liquor license eligibility expanded; alcohol in state capitol authorized for limited events; vineyard permits; catered events regulations relaxed; farm winery, farmers market sales permits expanded; samples, distributors; state fair permits expanded; other.**

02/04/2015 House—Introduced—HJ 155

02/05/2015 House—Referred to Committee on Federal and State Affairs—HJ 170

02/13/2015 House—Hearing: Wednesday, February 18, 2015, 9:00 AM Room 346-  
S02/20/2015 House—Committee Report recommending bill be passed as amended  
by Committee on Federal and State Affairs—HJ 271

03/18/2015 House—Committee of the Whole - Be passed as amended—HJ 399

03/19/2015 House—Final Action - Passed as amended; Yea: 99 Nay: 21—HJ 425

03/19/2015 Senate—Received and Introduced—SJ 294

03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317

03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S

03/31/2015 Senate—Committee Report recommending bill be passed as amended

by Committee on Federal and State Affairs—SJ 420  
 05/14/2015 Senate—Committee of the Whole - Be passed as amended—SJ 679  
 05/14/2015 Senate—Emergency Final Action - Passed as amended; Yea: 37 Nay: 1—SJ 708  
 05/19/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Brunk, Representative Couture-Lovelady and Representative Tietze as conferees—HJ 811  
 05/19/2015 Senate—Motion to accede adopted; Senator Ostmeyer, Senator LaTurner and Senator Faust-Goudeau appointed as conferees—SJ 727  
 05/28/2015 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 6—SJ 788  
 05/29/2015 House—Substitute motion to not adopt and appoint a conference committee failed—HJ 939  
 05/29/2015 House—Conference Committee Report was adopted; Yea: 90 Nay: 30—HJ 940  
 06/01/2015 House—Enrolled and presented to Governor on Monday, June 01, 2015—HJ 1036  
 06/05/2015 House—Approved by Governor on Friday, 05 June 2015—HJ 1677

**H 2224** Bill by Federal and State Affairs

**Substitute HB 2224 by Committee on Federal and State Affairs - Technical professions act; definitions clarification.**

02/04/2015 House—Introduced—HJ 155  
 02/05/2015 House—Referred to Committee on Federal and State Affairs—HJ 170  
 03/17/2015 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 393  
 05/07/2015 House—Committee of the Whole - Substitute bill be passed—HJ 736  
 05/07/2015 House—Emergency Final Action - Substitute passed; Yea: 112 Nay: 6—HJ 736  
 05/11/2015 Senate—Received and Introduced—SJ 597  
 05/12/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 599  
 05/12/2015 Senate—Hearing: Wednesday, May 13, 2015, 9:00 AM Room 144-S  
 05/14/2015 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 717  
 05/21/2015 Senate—Committee of the Whole - Be passed—SJ 768  
 05/21/2015 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 773  
 05/29/2015 House—Enrolled and presented to Governor on Friday, May 29, 2015—HJ 949  
 06/02/2015 House—Approved by Governor on Tuesday, 02 June 2015—HJ 1038

**H 2225** Bill by Health and Human Services

**Senate Substitute for HB 2225 by Senate Committee on Public Health and Welfare - Healing arts; relating to licenses, medical retainer agreements and access to health records.**

02/04/2015 House—Introduced—HJ 156  
 02/05/2015 House—Referred to Committee on Health and Human Services—HJ 170  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 546-S  
 02/24/2015 House—Committee Report recommending bill be passed as amended

by Committee on Health and Human Services—HJ 284  
 02/26/2015 House—Committee of the Whole - Be passed as amended—HJ 317  
 02/26/2015 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 319  
 03/04/2015 Senate—Received and Introduced—SJ 223  
 03/05/2015 Senate—Referred to Committee on Public Health and Welfare—SJ 228  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 1:30 PM Room 118-N  
 03/19/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 315  
 03/23/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 320  
 03/24/2015 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 366  
 03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Concannon and Representative Ward as conferees—HJ 558  
 03/30/2015 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as conferees—SJ 416  
 03/31/2015 Senate—Senator Francisco replaces Senator Kelly on the Conference Committee—SJ 419  
 04/02/2015 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 511  
 04/29/2015 House—Conference Committee Report was adopted; Yea: 116 Nay: 3—HJ 631  
 05/05/2015 House—Enrolled and presented to Governor on Tuesday, May 05, 2015—HJ 705  
 05/08/2015 House—Approved by Governor on Thursday, 07 May 2015—HJ 767

- H 2226** Bill by Health and Human Services  
**Hospital patient observation status.**  
 02/04/2015 House—Introduced—HJ 156  
 02/05/2015 House—Referred to Committee on Health and Human Services—HJ 170
- H 2227** Bill by Agriculture and Natural Resources  
**Creating water conservation areas.**  
 02/04/2015 House—Introduced—HJ 156  
 02/05/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 170  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 346S
- H 2228** Bill by Veterans, Military and Homeland Security  
**Senate Substitute for HB2228 by Committee on Federal and State Affairs—Abortion; administration of abortifacient drugs.**  
 02/04/2015 House—Introduced—HJ 156  
 02/05/2015 House—Referred to Committee on Education—HJ 170  
 02/05/2015 House—Withdrawn from Committee on Education; Referred to Committee on Veterans, Military and Homeland Security—HJ 170  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 9:00 AM Room 152S  
 02/18/2015 House—Committee Report recommending bill be passed as amended

by Committee on Veterans, Military and Homeland Security—HJ 256  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 299  
 02/26/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 315  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 222  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 10:30 AM Room 144-S  
 05/13/2015 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Federal and State Affairs—SJ 665  
 05/14/2015 Senate—Withdrawn from Calendar, Rereferred to Committee on  
 Federal and State Affairs—SJ 717  
 05/20/2015 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Federal and State Affairs—SJ 761  
 05/21/2015 Senate—Committee of the Whole - Substitute bill be passed as  
 amended—SJ 768  
 05/21/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea:  
 39 Nay: 0—SJ 773  
 05/30/2015 House—Concurred with amendments; Yea: 109 Nay: 2—HJ 951  
 06/02/2015 House—Enrolled and presented to Governor on Tuesday, June 02, 2015  
 —HJ 1043  
 06/05/2015 House—Approved by Governor on Friday, 05 June 2015—HJ 1677

- H 2229** Bill by Transportation  
**Designating the junction of interstate highway 70 and 110th street as the Bert Cantwell memorial interchange.**  
 02/04/2015 House—Introduced—HJ 156  
 02/05/2015 House—Referred to Committee on Transportation—HJ 170  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 582-N  
 02/20/2015 House—Committee Report recommending bill be passed by Committee  
 on Transportation—HJ 274  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2230** Bill by Representatives Ruiz, Burroughs, Carmichael, Curtis, Highberger, Lane,  
 Ousley, Rooker, Tietze, Victors, Wolfe Moore  
**Repealing the health care compact.**  
 02/04/2015 House—Introduced—HJ 163  
 02/05/2015 House—Referred to Committee on Health and Human Services—HJ  
 170
- H 2231** Bill by Agriculture and Natural Resources  
**Licensing of oil and gas well operators and extension of the abandoned oil and  
 gas well fund.**  
 02/04/2015 House—Introduced—HJ 163  
 02/05/2015 House—Referred to Committee on Agriculture and Natural Resources  
 —HJ 170  
 02/19/2015 House—Committee Report recommending bill be passed by Committee  
 on Agriculture and Natural Resources—HJ 263  
 02/25/2015 House—Committee of the Whole - Be passed—HJ 293  
 02/26/2015 House—Final Action - Passed; Yea: 111 Nay: 12—HJ 315

02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Utilities—SJ 223  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 1:30 PM Room 548-S  
 03/13/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 255  
 03/18/2015 Senate—Committee of the Whole - Be passed as amended—SJ 292  
 03/19/2015 Senate—Final Action - Passed as amended; Yea: 37 Nay: 0—SJ 296  
 03/23/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 498  
 03/24/2015 Senate—Motion to accede adopted; Senator Olson, Senator Petersen and Senator Francisco appointed as conferees—SJ 369  
 04/30/2015 House—Concurred with amendments in conference; Yea: 103 Nay: 19—HJ 657  
 05/05/2015 House—Enrolled and presented to Governor on Tuesday, May 05, 2015—HJ 705  
 05/08/2015 House—Approved by Governor on Thursday, 07 May 2015—HJ 767

**H 2232** Bill by Federal and State Affairs  
**Personal financial literacy course as a requirement for high school graduation.**  
 02/04/2015 House—Introduced—HJ 163  
 02/05/2015 House—Referred to Committee on Education—HJ 170  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 1:30 PM Room 112N

**H 2233** Bill by Energy and Environment  
**Electric utilities and carbon dioxide emissions.**  
 02/04/2015 House—Introduced—HJ 163  
 02/05/2015 House—Referred to Committee on Energy and Environment—HJ 170  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 9:00 AM Room 582-N  
 02/25/2015 House—Committee Report recommending bill be passed as amended by Committee on Energy and Environment—HJ 304  
 02/26/2015 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 307  
 03/12/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Energy and Environment—HJ 347  
 03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Energy and Environment—HJ 465  
 03/24/2015 House—Committee of the Whole - Be passed as amended—HJ 513  
 03/25/2015 House—Final Action - Passed as amended; Yea: 121 Nay: 3—HJ 523  
 03/25/2015 Senate—Received and Introduced—SJ 380  
 03/30/2015 Senate—Referred to Committee on Utilities—SJ 412  
 04/01/2015 Senate—Hearing: Thursday, April 02, 2015, 8:00 AM Room 548-S  
 04/02/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 516  
 05/05/2015 Senate—Committee of the Whole - Be passed as amended—SJ 561  
 05/05/2015 Senate—Emergency Final Action - Passed as amended; Yea: 34 Nay: 3—SJ 561  
 05/06/2015 House—Nonconcurrent with amendments; Conference Committee

requested; appointed Representative Hedke, Representative Corbet and Representative Kuether as conferees—HJ 717  
 05/07/2015 Senate—Motion to accede adopted; Senator Olson, Senator Petersen and Senator Francisco appointed as conferees—SJ 570  
 05/13/2015 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 1—SJ 664  
 05/14/2015 House—Conference Committee Report was adopted; Yea: 121 Nay: 1—HJ 790  
 05/26/2015 House—Enrolled and presented to Governor on Friday, May 22, 2015—HJ 908  
 05/28/2015 House—Approved by Governor on Thursday, 28 May 2015—HJ 913

**H 2234** Bill by Local Government  
**Requiring postsecondary institutions to adopt and implement a policy and plan to prohibit employees from using their official titles in certain publications.**

02/04/2015 House—Introduced—HJ 163  
 02/05/2015 House—Referred to Committee on Education—HJ 170  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 112-N

**H 2235** Bill by Local Government  
**Elected county treasurer appointed by county commission; election required.**

02/04/2015 House—Introduced—HJ 164  
 02/05/2015 House—Referred to Committee on Local Government—HJ 170  
 02/13/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 281-N

**H 2236** Bill by Local Government  
**Cities; rehabilitation of abandoned property; definitions; other.**

02/04/2015 House—Introduced—HJ 164  
 02/05/2015 House—Referred to Committee on Local Government—HJ 170  
 02/26/2015 House—Withdrawn from Committee on Local Government; Referred to Committee on Taxation—HJ 307

**H 2237** Bill by Local Government  
**Municipalities; use of internet as official publication.**

02/04/2015 House—Introduced—HJ 164  
 02/05/2015 House—Referred to Committee on Local Government—HJ 170  
 02/24/2015 House—Withdrawn from Committee on Local Government; Referred to Committee on Appropriations—HJ 285  
 03/05/2015 House—Withdrawn from Committee on Appropriations; Referred to Committee on Commerce, Labor and Economic Development—HJ 328  
 03/13/2015 House—Hearing: Monday, March 16, 2015, 1:30 PM Room 346S

**H 2238** Bill by Local Government  
**Cowley county; official stone bridge capital of the state of Kansas.**

02/04/2015 House—Introduced—HJ 164

02/05/2015 House—Referred to Committee on Local Government—HJ 170  
 02/10/2015 House—Hearing: Tuesday, February 10, 2015, 1:30 PM Room 281N  
 02/18/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Local Government—HJ 255  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

- H 2239** Bill by Judiciary  
**Newborn screening for critical congenital heart disease.**  
 02/04/2015 House—Introduced—HJ 164  
 02/05/2015 House—Referred to Committee on Health and Human Services—HJ  
 170  
 02/18/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 546-S-  
 CANCELLED  
 02/18/2015 House—Withdrawn from Committee on Health and Human Services;  
 Referred to Committee on Appropriations—HJ 254
- H 2240** Bill by General Government Budget Committee  
**Allowing employees of the board of tax appeals to serve as hearing officers;  
 educational requirements for members of the board, salary of  
 members.**  
 02/05/2015 House—Introduced—HJ 169  
 02/06/2015 House—Referred to Committee on Taxation—HJ 176  
 02/20/2015 House—Hearing: Tuesday, February 24, 2015, 3:30 PM Room 582N  
 03/16/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Taxation—HJ 373  
 03/24/2015 House—Committee of the Whole - Be passed as amended—HJ 513  
 03/25/2015 House—Final Action - Passed as amended; Yea: 123 Nay: 2—HJ 524  
 03/25/2015 Senate—Received and Introduced—SJ 380  
 03/30/2015 Senate—Referred to Committee on Assessment and Taxation—SJ 412  
 03/30/2015 Senate—Hearing: Wednesday, April 01, 2015, 1:00 PM Room 546-S  
 04/01/2015 Senate—Committee Report recommending bill be passed by Committee  
 on Assessment and Taxation—SJ 449  
 05/05/2015 Senate—Committee of the Whole - Be passed—SJ 561  
 05/05/2015 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 561  
 05/11/2015 House—Enrolled and presented to Governor on Monday, May 11, 2015  
 —HJ 769  
 05/15/2015 House—Approved by Governor on Thursday, 14 May 2015—HJ 795
- H 2241** Bill by Insurance  
**Prohibiting insurance companies from canceling or nonrenewing property and  
 casualty policies due to claims arising from natural causes.**  
 02/05/2015 House—Introduced—HJ 169  
 02/06/2015 House—Referred to Committee on Insurance—HJ 176  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 3:30 PM Room 152S  
 02/26/2015 House—Withdrawn from Committee on Insurance; Referred to  
 Committee on Appropriations—HJ 307
- H 2242** Bill by Transportation



**Excepting certain vehicles from gross weight limits on wheels and axles.**

02/05/2015 House—Introduced—HJ 169

02/06/2015 House—Referred to Committee on Transportation—HJ 176

02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 582-N

- H 2243** Bill by Veterans, Military and Homeland Security  
**Prohibiting KSHSAA from preventing children of military families from participating in high school sports due to a residency change.**  
 02/05/2015 House—Introduced—HJ 169  
 02/06/2015 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 176  
 02/19/2015 House—Withdrawn from Committee on Veterans, Military and Homeland Security; Referred to Committee on Appropriations—HJ 261
- H 2244** Bill by Health and Human Services  
**The safe families act.**  
 02/05/2015 House—Introduced—HJ 169  
 02/06/2015 House—Referred to Committee on Health and Human Services—HJ 176  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 1:30 PM Room 546S  
 02/25/2015 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 295  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2245** Bill by Federal and State Affairs  
**Amending procedure for cases involving groundwater.**  
 02/05/2015 House—Introduced—HJ 170  
 02/06/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 176  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 346-S-CANCELLED
- H 2246** Bill by Federal and State Affairs  
**Municipalities; payment of claims, notice of claims procedures; employees added.**  
 02/05/2015 House—Introduced—HJ 170  
 02/06/2015 House—Referred to Committee on Local Government—HJ 176  
 02/13/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 281-N  
 02/25/2015 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 299  
 03/11/2015 House—Committee of the Whole - Be passed—HJ 342  
 03/12/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 350  
 03/12/2015 Senate—Received and Introduced—SJ 249  
 03/13/2015 Senate—Referred to Committee on Local Government—SJ 255  
 03/18/2015 Senate—Withdrawn from Committee on Local Government; Referred to Committee on Judiciary—SJ 266  
 03/18/2015 Senate—Hearing: Thursday, March 19, 2015, 10:30 AM Room 346-S  
 03/19/2015 Senate—Committee Report recommending bill be passed and placed on

Consent Calendar by Committee on Judiciary—SJ 312  
 03/24/2015 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 362  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015  
 —HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

**H 2247** Bill by Corrections and Juvenile Justice  
**Including department of corrections employees in coronary or cerebrovascular injury provisions for workers compensation.**  
 02/05/2015 House—Introduced—HJ 170  
 02/06/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 176

**H 2248** Bill by Commerce, Labor and Economic Development  
**Tax increment financing eligibility for projects involving very old buildings and adjacent vacant or condemned lots.**  
 02/05/2015 House—Introduced—HJ 170  
 02/06/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 176  
 02/13/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Taxation—HJ 235  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 346-S-CANCELLED  
 03/12/2015 House—Hearing: Friday, March 13, 2015, 3:30 PM Room 582-N-CANCELLED

**H 2249** Bill by Insurance  
**Enacting the transportation network company driver and passenger protection act.**  
 02/05/2015 House—Introduced—HJ 170  
 02/06/2015 House—Referred to Committee on Insurance—HJ 176  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 152S  
 02/20/2015 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 267  
 03/06/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance—HJ 331

**H 2250** Bill by Pensions and Benefits  
**KPERS retirant cost of living increase.**  
 02/05/2015 House—Introduced—HJ 170  
 02/06/2015 House—Referred to Committee on Pensions and Benefits—HJ 176  
 02/19/2015 House—Hearing: Monday, February 23, 2015, 9:00 AM Room 152S

**H 2251** Bill by Elections  
**Elections; ballot on demand; advance voting changes; electronic polling books.**  
 02/05/2015 House—Introduced—HJ 170  
 02/06/2015 House—Referred to Committee on Elections—HJ 176

- H 2252** Bill by Veterans, Military and Homeland Security  
**Providing for the Armed Services occupation medal license plate.**  
 02/05/2015 House—Introduced—HJ 173  
 02/06/2015 House—Referred to Committee on Transportation—HJ 176  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 582-N
- H 2253** Bill by Pensions and Benefits  
**Providing working after retirement provisions for certain retirants and extending current sunset for teachers.**  
 02/05/2015 House—Introduced—HJ 173  
 02/06/2015 House—Referred to Committee on Pensions and Benefits—HJ 176  
 02/17/2015 House—Withdrawn from Committee on Pensions and Benefits; Referred to Committee on Appropriations—HJ 251  
 03/10/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Pensions and Benefits—HJ 338  
 03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 152-S  
 03/24/2015 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 514
- H 2254** Bill by Commerce, Labor and Economic Development  
**Exempting certain general contractors from the roofing contractor registration act.**  
 02/06/2015 House—Introduced—HJ 175  
 02/09/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 181  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 346-S  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 270  
 02/24/2015 House—Committee of the Whole - Be passed as amended—HJ 284  
 02/25/2015 House—Final Action - Passed as amended; Yea: 112 Nay: 9—HJ 290  
 02/25/2015 Senate—Received and Introduced—SJ 172  
 02/26/2015 Senate—Referred to Committee on Commerce—SJ 186  
 03/06/2015 Senate—Hearing: Monday, March 09, 2015, 8:30 AM Room 548-S  
 03/19/2015 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 306  
 03/24/2015 Senate—Committee of the Whole - Be passed—SJ 370  
 03/25/2015 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 384  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608
- H 2255** Bill by Transportation  
**Prohibiting the secretary of transportation from entering agreements or issuing bonds after December 31, 2014, for the transportation revolving fund and the communication systems revolving fund; repealing the intermodal transportation revolving fund.**

02/06/2015 House—Introduced—HJ 175  
 02/09/2015 House—Referred to Committee on Transportation—HJ 181  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 582-N

- H 2256** Bill by Judiciary  
**Enforcement of open records and meetings; attorney general; attorney general's open government fund.**  
 02/06/2015 House—Introduced—HJ 176  
 02/09/2015 House—Referred to Committee on Judiciary—HJ 181  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 3:30 PM Room 112-N  
 02/18/2015 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 255  
 02/24/2015 House—Committee of the Whole - Be passed—HJ 284  
 02/25/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 291  
 02/25/2015 Senate—Received and Introduced—SJ 172  
 02/26/2015 Senate—Referred to Committee on Judiciary—SJ 186  
 03/06/2015 Senate—Hearing: Wednesday, March 11, 2015, 10:30 AM Room 346-S  
 03/19/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 312  
 03/25/2015 Senate—Committee of the Whole - Be passed as amended—SJ 386  
 03/25/2015 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 408  
 03/31/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Macheers and Representative Carmichael as conferees—HJ 571  
 03/31/2015 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 419  
 05/07/2015 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 574  
 05/08/2015 House—Conference Committee Report was adopted; Yea: 95 Nay: 15—HJ 745  
 05/15/2015 House—Enrolled and presented to Governor on Friday, May 15, 2015—HJ 802  
 05/26/2015 House—Approved by Governor on Friday, 22 May 2015—HJ 906

- H 2257** Bill by Education  
**Amendments to the professional negotiations act.**  
 02/06/2015 House—Introduced—HJ 176  
 02/09/2015 House—Referred to Committee on Education—HJ 181

- H 2258** Bill by Financial Institutions  
**Senate Substitute for HB 2258 by Senate Committee on Public Health and Welfare - Concerning Kansas department for children and families; eligibility requirements for public assistance.**  
 02/06/2015 House—Introduced—HJ 176  
 02/09/2015 House—Referred to Committee on Financial Institutions—HJ 181  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 152S  
 02/18/2015 House—Committee Report recommending bill be passed by Committee

on Financial Institutions—HJ 255  
 02/24/2015 House—Committee of the Whole - Be passed—HJ 284  
 02/25/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 291  
 02/25/2015 Senate—Received and Introduced—SJ 172  
 02/26/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 186  
 03/06/2015 Senate—Hearing: Thursday, March 12, 2015, 9:30 AM Room 546-S  
 03/18/2015 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Public Health and Welfare—SJ 266  
 03/23/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 325  
 03/31/2015 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 417  
 03/31/2015 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 418  
 04/01/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 449  
 04/02/2015 Senate—Final Action - Substitute passed as amended; Yea: 30 Nay: 10—SJ 456  
 04/02/2015 House—Concurred with amendments; Yea: 87 Nay: 35—HJ 596  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 10, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Thursday, 16 April 2015—HJ 608

**H 2259**

Bill by Financial Institutions

**Amending the county and municipal statement of indebtedness reporting deadlines.**

02/06/2015 House—Introduced—HJ 176  
 02/09/2015 House—Referred to Committee on Financial Institutions—HJ 181  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 152S  
 02/18/2015 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions—HJ 255  
 02/24/2015 House—Committee of the Whole - Be passed as amended—HJ 284  
 02/25/2015 House—Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 292  
 02/25/2015 Senate—Received and Introduced—SJ 172  
 02/26/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 186  
 03/16/2015 Senate—Hearing: Monday, March 16, 2015, 9:30 AM Room 546-S  
 03/18/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 290  
 03/24/2015 Senate—Committee of the Whole - Be passed as amended—SJ 370  
 03/25/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 385  
 03/30/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative DeGraaf, Representative Kelly and Representative Frownfelter as conferees—HJ 566  
 03/30/2015 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 416  
 04/01/2015 House—Concurred with amendments in conference; Yea: 119 Nay: 0—HJ 584

(SJ & HJ Nos. refer to 2015 Senate and House Journals)

04/29/2015 House—Enrolled and presented to Governor on Friday, April 10, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 15 April 2015—HJ 608

- H 2260** Bill by Financial Institutions  
**Eliminating the one-sheet requirement for temporary notes for improvements.**  
 02/06/2015 House—Introduced—HJ 178  
 02/09/2015 House—Referred to Committee on Financial Institutions—HJ 181  
 02/10/2015 House—Hearing: Thursday, February 12, 2015, 3:30 PM Room 152S  
 02/18/2015 House—Committee Report recommending bill be passed by Committee on Financial Institutions—HJ 255  
 02/24/2015 House—Committee of the Whole - Be passed—HJ 284  
 02/25/2015 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 292  
 02/25/2015 Senate—Received and Introduced—SJ 172  
 02/26/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 186  
 03/16/2015 Senate—Hearing: Monday, March 16, 2015, 9:30 AM Room 546-S
- H 2261** Bill by Commerce, Labor and Economic Development  
**Amending unemployment insurance benefits determination; employer classification and contribution rates.**  
 02/06/2015 House—Introduced—HJ 178  
 02/09/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 181  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 346S  
 02/17/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Taxation—HJ 251
- H 2262** Bill by Federal and State Affairs  
**Providing a compliance deadline and penalties for non-compliance with the student data privacy act.**  
 02/06/2015 House—Introduced—HJ 178  
 02/09/2015 House—Referred to Committee on Education—HJ 181  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 112-N  
 02/20/2015 House—Hearing: Tuesday, February 24, 2015, 1:00 PM Room 112-N-CANCELLED  
 02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 112N
- H 2263** Bill by Taxation  
**Sales tax authority for Douglas county for constructing a jail.**  
 02/06/2015 House—Introduced—HJ 178  
 02/09/2015 House—Referred to Committee on Taxation—HJ 181  
 03/06/2015 House—Hearing: Tuesday, March 10, 2015, 3:30 PM Room 582-N
- H 2264** Bill by Taxation  
**Valuation and taxation of certain oil and gas equipment and materials.**  
 02/06/2015 House—Introduced—HJ 178

02/09/2015 House—Referred to Committee on Taxation—HJ 181

- H 2265** Bill by Commerce, Labor and Economic Development  
**Unemployment benefits for privately contracted school bus drivers.**  
 02/06/2015 House—Introduced—HJ 179  
 02/09/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 181
- H 2266** Bill by Appropriations  
**Requiring postsecondary education institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking.**  
 02/09/2015 House—Introduced—HJ 181  
 02/10/2015 House—Referred to Committee on Education—HJ 187  
 02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 112N
- H 2267** Bill by Appropriations  
**Alternative project delivery; notice requirements and selection procedures.**  
 02/09/2015 House—Introduced—HJ 181  
 02/10/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 187  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 346-S  
 02/23/2015 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 280  
 02/26/2015 House—Committee of the Whole - Be passed—HJ 317  
 02/26/2015 House—Emergency Final Action - Passed; Yea: 123 Nay: 0—HJ 318  
 03/04/2015 Senate—Received and Introduced—SJ 223  
 03/05/2015 Senate—Referred to Committee on Commerce—SJ 228  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 10:30 AM Room 144-S  
 03/16/2015 Senate—Hearing: Monday, March 16, 2015, 8:30 AM Room 548-S  
 03/17/2015 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 263  
 03/19/2015 Senate—Committee of the Whole - Be passed—SJ 297  
 03/19/2015 Senate—Emergency Final Action - Passed; Yea: 34 Nay: 4—SJ 306  
 03/24/2015 House—Enrolled and presented to Governor on Tuesday, March 24, 2015—HJ 521  
 04/02/2015 House—Approved by Governor on Wednesday, 01 April 2015—HJ 588
- H 2268** Bill by Appropriations  
**Authorizing the state historical society to accept the Last Chance Store and the state board of regents to exchange certain real property with the city of Pittsburgh.**  
 02/09/2015 House—Introduced—HJ 181  
 02/10/2015 House—Referred to Committee on Federal and State Affairs—HJ 187  
 02/12/2015 House—Hearing: Monday, February 16, 2015, 9:00 AM Room 346S  
 02/17/2015 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 251  
 03/17/2015 House—Committee of the Whole - Be passed—HJ 379  
 03/18/2015 House—Final Action - Passed; Yea: 120 Nay: 1—HJ 397

03/18/2015 Senate—Received and Introduced—SJ 266  
 03/19/2015 Senate—Referred to Committee on Ways and Means—SJ 294  
 04/29/2015 Senate—Hearing: Wednesday, April 29, 2015, 10:30 AM Room 548-S  
 04/30/2015 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 533  
 05/05/2015 Senate—Committee of the Whole - Be passed as amended—SJ 553  
 05/05/2015 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 562  
 05/06/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Brunk, Representative Couture-Lovelady and Representative Tietze as conferees—HJ 717  
 05/07/2015 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 570

**H 2269** Bill by Appropriations**Lottery, gaming, parimutuel winnings, debt set off; child support.**

02/09/2015 House—Introduced—HJ 181  
 02/10/2015 House—Referred to Committee on Children and Seniors—HJ 187  
 02/19/2015 House—Hearing: Tuesday, February 24, 2015, 9:00 AM Room 218N

**H 2270** Bill by Vision 2020**Medical assistance; KanCare II expansion act; duties on the secretary of health and environment.**

02/09/2015 House—Introduced—HJ 181  
 02/10/2015 House—Referred to Committee on Health and Human Services—HJ 187

**H 2271** Bill by Corrections and Juvenile Justice**Requiring conviction before forfeiture of assets.**

02/09/2015 House—Introduced—HJ 181  
 02/10/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 187

**H 2272** Bill by Judiciary**Converting classified staff assistants and attorney positions to unclassified positions for employees of the Kansas department for children and families.**

02/10/2015 House—Introduced—HJ 184  
 02/11/2015 House—Referred to Committee on Judiciary—HJ 206  
 02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 112N

**H 2273** Bill by Representative Campbell**Allowing certain counties to require incident management tow permits and operator licenses.**

02/10/2015 House—Introduced—HJ 184  
 02/11/2015 House—Referred to Committee on Local Government—HJ 206



- H 2274** Bill by Local Government  
**Nominations for political parties; petitions.**  
 02/10/2015 House—Introduced—HJ 184  
 02/11/2015 House—Referred to Committee on Elections—HJ 206
- H 2275** Bill by Corrections and Juvenile Justice  
**Relating to substances included in schedules I, II, III and IV of the uniform controlled substances act.**  
 02/10/2015 House—Introduced—HJ 184  
 02/11/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 206  
 02/19/2015 House—Hearing: Monday, February 23, 2015, 1:30 PM Room 152S  
 02/25/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 295  
 02/26/2015 House—Committee of the Whole - Be passed as amended—HJ 317  
 02/26/2015 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 320  
 03/04/2015 Senate—Received and Introduced—SJ 223  
 03/05/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 228  
 03/16/2015 Senate—Hearing: Wednesday, March 18, 2015, 9:30 AM Room 118-N  
 03/19/2015 Senate—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—SJ 307  
 03/23/2015 Senate—Committee of the Whole - Be passed—SJ 320  
 03/24/2015 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 366  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608
- H 2276** Bill by Judiciary  
**Eminent domain; authorized transfers to private entities; attorney fees.**  
 02/10/2015 House—Introduced—HJ 184  
 02/11/2015 House—Referred to Committee on Judiciary—HJ 206
- H 2277** Bill by Judiciary  
**Enacting the Kansas child protection registry act.**  
 02/10/2015 House—Introduced—HJ 184  
 02/11/2015 House—Referred to Committee on Judiciary—HJ 206  
 02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 112N
- H 2278** Bill by Agriculture and Natural Resources  
**Removing reference to the association of official analytical chemists in agricultural liming materials provisions.**  
 02/10/2015 House—Introduced—HJ 184  
 02/11/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 206  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 346-S  
 02/25/2015 House—Committee Report recommending bill be passed by Committee

on Agriculture and Natural Resources—HJ 293  
03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326

- H 2279** Bill by Agriculture and Natural Resources  
**Amending the administrative hearing process for the department of agriculture.**  
02/10/2015 House—Introduced—HJ 184  
02/11/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 206
- H 2280** Bill by Health and Human Services  
**Board of nursing; certified nurse-midwife.**  
02/10/2015 House—Introduced—HJ 184  
02/11/2015 House—Referred to Committee on Taxation—HJ 206  
03/04/2015 House—Withdrawn from Committee on Taxation; Referred to Committee on Health and Human Services—HJ 325  
03/17/2015 House—Withdrawn from Committee on Health and Human Services; Rereferred to Committee on Taxation—HJ 378
- H 2281** Bill by Health and Human Services  
**Senate Substitute for HB 2281 by Committee on Public Health and Welfare – Public assistance; medical assistance fee fund, privilege fees and TANF cash assistance.**  
02/10/2015 House—Introduced—HJ 184  
02/11/2015 House—Referred to Committee on Health and Human Services—HJ 206  
02/13/2015 House—Hearing: Monday, February 16, 2015, 1:30 PM Room 546-S  
02/19/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 264  
02/25/2015 House—Committee of the Whole - Be passed—HJ 293  
02/26/2015 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 316  
02/26/2015 Senate—Received and Introduced—SJ 194  
03/04/2015 Senate—Referred to Committee on Public Health and Welfare—SJ 223  
03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 1:30 PM Room 118-N  
03/19/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 315  
03/23/2015 Senate—Committee of the Whole - Substitute bill be passed—SJ 320  
03/24/2015 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 367  
03/25/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Schwab and Representative Ward as conferees—HJ 558  
03/30/2015 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as conferees—SJ 416  
06/03/2015 Senate—Conference Committee Report agree to disagree adopted; Senator Pilcher-Cook, Senator O'Donnell and Senator Kelly appointed as second conferees—SJ 1029  
06/04/2015 House—Conference Committee Report agree to disagree adopted; Representative Hawkins, Representative Schwab and Representative Ward

appointed as second conferees—HJ 1609

06/06/2015 Senate—Conference Committee Report was adopted; Yea: 28 Nay: 11  
—SJ 1142

06/06/2015 House—Conference Committee Report was adopted; Yea: 63 Nay: 41—  
HJ 1717

06/09/2015 House—Enrolled and presented to Governor on Tuesday, June 09, 2015  
—HJ 1738

06/26/2015 House—Approved by Governor on Friday, 12 June 2015—HJ 1902

- H 2282** Bill by Health and Human Services  
**Authorizing hemp treatments for seizure disorders.**  
02/10/2015 House—Introduced—HJ 193  
02/11/2015 House—Referred to Committee on Health and Human Services—HJ  
206  
02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 546-S  
02/25/2015 House—Committee Report recommending bill be passed as amended  
by Committee on Health and Human Services—HJ 298  
02/26/2015 House—Withdrawn from Calendar; Referred to Committee on  
Appropriations—HJ 307
- H 2283** Bill by Representative Henry  
**Sales tax exemption for sales of farm products sold at farmers' markets.**  
02/10/2015 House—Introduced—HJ 193  
02/11/2015 House—Referred to Committee on Taxation—HJ 206
- H 2284** Bill by Representative Henry  
**Sales tax exemption for Highland pride, inc.**  
02/10/2015 House—Introduced—HJ 193  
02/11/2015 House—Referred to Committee on Taxation—HJ 206
- H 2285** Bill by Veterans, Military and Homeland Security  
**Establishing the Kansas legislature paper-free task force.**  
02/10/2015 House—Introduced—HJ 193  
02/11/2015 House—Referred to Committee on Vision 2020—HJ 206
- H 2286** Bill by Taxation  
**Regulation of transportation network company services.**  
02/10/2015 House—Introduced—HJ 193  
02/11/2015 House—Referred to Committee on Transportation—HJ 206  
02/11/2015 House—Withdrawn from Committee on Transportation; Referred to  
Committee on Insurance—HJ 206  
03/18/2015 House—Hearing: Friday, March 20, 2015, 11:00 AM Room 281-N
- H 2287** Bill by Taxation  
**Investment standards and divestment procedures for KPERS related to Iran.**  
02/10/2015 House—Introduced—HJ 193  
02/11/2015 House—Referred to Committee on Pensions and Benefits—HJ 206

03/05/2015 House—Hearing: Wednesday, March 11, 2015, 9:00 AM Room 152S  
 03/13/2015 House—Hearing: Wednesday, March 18, 2015, 9:00 AM Room 152-S

- H 2288** Bill by Pensions and Benefits  
**Enacting the Kansas deferred retirement option program act.**  
 02/10/2015 House—Introduced—HJ 193  
 02/11/2015 House—Referred to Committee on Pensions and Benefits—HJ 206  
 02/17/2015 House—Hearing: Friday, February 20, 2015, 9:00 AM Room 152S  
 02/26/2015 House—Withdrawn from Committee on Pensions and Benefits;  
 Referred to Committee on Appropriations—HJ 307  
 03/20/2015 House—Withdrawn from Committee on Appropriations; Rereferred to  
 Committee on Pensions and Benefits—HJ 477
- H 2289** Bill by Judiciary  
**DUI test refusal or failure; administrative hearing procedure.**  
 02/10/2015 House—Introduced—HJ 193  
 02/11/2015 House—Referred to Committee on Judiciary—HJ 206  
 02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 112N
- H 2290** Bill by Judiciary  
**Relating to emergency observation and treatment of mentally-ill persons in  
 communities with 24-hour crisis and observation facilities.**  
 02/10/2015 House—Introduced—HJ 193  
 02/11/2015 House—Referred to Committee on Judiciary—HJ 206
- H 2291** Bill by Federal and State Affairs  
**Charitable gaming act; regulation of bingo and raffles.**  
 02/10/2015 House—Introduced—HJ 193  
 02/11/2015 House—Referred to Committee on Federal and State Affairs—HJ 206  
 02/19/2015 House—Hearing: Monday, February 23, 2015, 9:00 AM Room 346S  
 02/19/2015 House—Hearing: Tuesday, February 24, 2015, 9:00 AM Room 346S
- H 2292** Bill by Federal and State Affairs  
**Development and establishment of K-12 curriculum standards.**  
 02/10/2015 House—Introduced—HJ 193  
 02/11/2015 House—Referred to Committee on Education—HJ 206  
 02/19/2015 House—Hearing: Monday, February 23, 2015, 1:00 PM Room 112N
- H 2293** Bill by Federal and State Affairs  
**Amending statutes concerning dangerous regulated animals.**  
 02/10/2015 House—Introduced—HJ 193  
 02/11/2015 House—Referred to Committee on Agriculture and Natural Resources  
 —HJ 206
- H 2294** Bill by Federal and State Affairs  
**Requiring the use of e-verify by employers.**

02/10/2015 House—Introduced—HJ 194  
 02/11/2015 House—Referred to Committee on Federal and State Affairs—HJ 206

- H 2295** Bill by Federal and State Affairs  
**Bingo act regulations; changes.**  
 02/10/2015 House—Introduced—HJ 194  
 02/11/2015 House—Referred to Committee on Federal and State Affairs—HJ 206  
 03/04/2015 House—Hearing: Thursday, March 05, 2015, 1:30 PM Room 346S
- H 2296** Bill by Federal and State Affairs  
**Cities and counties; public building commission; revenue bonds; election required.**  
 02/10/2015 House—Introduced—HJ 194  
 02/11/2015 House—Referred to Committee on Local Government—HJ 206  
 02/19/2015 House—Hearing: Tuesday, February 24, 2015, 1:30 PM Room 281N  
 03/13/2015 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 369
- H 2297** Bill by Federal and State Affairs  
**Vietnam service medal license plate decal.**  
 02/10/2015 House—Introduced—HJ 194  
 02/11/2015 House—Referred to Committee on Transportation—HJ 206  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 582-N
- H 2298** Bill by Taxation  
**Removing the sunset for rural opportunity zones.**  
 02/10/2015 House—Introduced—HJ 194  
 02/11/2015 House—Referred to Committee on Taxation—HJ 206  
 03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 582-N
- H 2299** Bill by Appropriations  
**Directing the secretary of labor to submit a statewide plan for state enforcement of OSHA standards.**  
 02/11/2015 House—Introduced—HJ 205  
 02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216  
 02/17/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 346S
- H 2300** Bill by Judiciary  
**Personal electronic media devices subject to the open records act.**  
 02/11/2015 House—Introduced—HJ 205  
 02/12/2015 House—Referred to Committee on Judiciary—HJ 216
- H 2301** Bill by Judiciary  
**Authorizing the House committee on judiciary to meet when the legislature is**

**not in session for the purpose of judicial nominations; contingent on adoption of a constitutional amendment.**

02/11/2015 House—Introduced—HJ 205

02/12/2015 House—Referred to Committee on Judiciary—HJ 216

**H 2302** Bill by Judiciary

**Enacting the Kansas right to financial privacy act.**

02/11/2015 House—Introduced—HJ 205

02/12/2015 House—Referred to Committee on Judiciary—HJ 216

02/17/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 112N

**H 2303** Bill by Appropriations

**Allowing the secretary of health and environment to establish variances to water quality standards.**

02/11/2015 House—Introduced—HJ 205

02/12/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 216

03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 346-S

**H 2304** Bill by Appropriations

**Creating the local conservation lending program.**

02/11/2015 House—Introduced—HJ 205

02/12/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 216

03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 346-S

**H 2305** Bill by Appropriations

**Creating an institutional license to practice veterinary medicine.**

02/11/2015 House—Introduced—HJ 205

02/12/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 216

02/18/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 346S

02/20/2015 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 269

**H 2306** Bill by Taxation

**Increasing rates of taxation on cigarettes, tobacco products and alcoholic beverages.**

02/11/2015 House—Introduced—HJ 205

02/12/2015 House—Referred to Committee on Taxation—HJ 216

02/13/2015 House—Hearing: Wednesday, February 18, 2015, 3:30 PM Room 582-N

02/13/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 582

**H 2307** Bill by Taxation

**State finances; relating to state general fund tax receipts and expenditures; providing a tax amnesty; creating a budget stabilization fund, tax**

**reduction fund; ending balances; income tax rates, itemized deductions; reports to the legislature.**

02/11/2015 House—Introduced—HJ 205

02/12/2015 House—Referred to Committee on Taxation—HJ 216

02/26/2015 House—Hearing: Wednesday, March 04, 2015, 3:30 PM Room 582N

- H 2308** Bill by Taxation  
**Sales tax exemption for sales of certain machinery and equipment used for automated ice vending machines.**  
 02/11/2015 House—Introduced—HJ 205  
 02/12/2015 House—Referred to Committee on Taxation—HJ 216
- H 2309** Bill by Federal and State Affairs  
**Sales tax exemption for purchases made by or on behalf of rotary club of Leawood, Kansas charitable fund, inc.**  
 02/11/2015 House—Introduced—HJ 205  
 02/12/2015 House—Referred to Committee on Taxation—HJ 216
- H 2310** Bill by Federal and State Affairs  
**Excepting certain persons from the chemigation permit requirements.**  
 02/11/2015 House—Introduced—HJ 205  
 02/12/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 216
- H 2311** Bill by Federal and State Affairs  
**Creating the Kansas firearms industry nondiscrimination act.**  
 02/11/2015 House—Introduced—HJ 206  
 02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
- H 2312** Bill by Federal and State Affairs  
**Kansas expanded lottery act; racetrack gaming.**  
 02/11/2015 House—Introduced—HJ 206  
 02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
- H 2313** Bill by Corrections and Juvenile Justice  
**Amending assault and battery to increase penalty for assault or battery of a health care provider and creating the crime of unlawful interference with a health care provider.**  
 02/11/2015 House—Introduced—HJ 206  
 02/12/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 216  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 1:30 PM Room 152-S
- H 2314** Bill by Representatives Burroughs, Ballard, Carlin, Carmichael, Curtis, Gallagher, Highberger, Kuether, Ousley, Ruiz, Whipple, Wolfe Moore  
**Repealing the prohibition against agencies and municipalities requiring**

**contractors to enter into certain labor agreements for public works construction projects.**

02/11/2015 House—Introduced—HJ 206

02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216

- H 2315** Bill by Health and Human Services  
**Secretary for aging and disability services licensure of certain facilities and standards for treatment of certain individuals.**  
 02/11/2015 House—Introduced—HJ 212  
 02/12/2015 House—Referred to Committee on Health and Human Services—HJ 216  
 02/18/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 546S  
 02/20/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 267  
 03/18/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 396
- H 2316** Bill by Representatives Frownfelter, Burroughs, Carmichael, Highberger, Kuether, Whipple  
**Providing for a livable minimum wage.**  
 02/11/2015 House—Introduced—HJ 212  
 02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216
- H 2317** Bill by Representative Whipple  
**Requiring employment of Kansas workers for certain state contracts and tax incentives.**  
 02/11/2015 House—Introduced—HJ 212  
 02/12/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 216  
 02/13/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Taxation—HJ 235
- H 2318** Bill by Representatives Claeys, Whipple  
**Partnering with western governors university to provide online, competency-based education.**  
 02/11/2015 House—Introduced—HJ 212  
 02/12/2015 House—Referred to Committee on Education—HJ 216
- H 2319** Bill by Appropriations  
**State medical assistance program; expansion of eligibility.**  
 02/11/2015 House—Introduced—HJ 212  
 02/12/2015 House—Referred to Committee on Health and Human Services—HJ 216  
 03/13/2015 House—Hearing: Wednesday, March 18, 2015, 1:30 PM Room 546S  
 03/13/2015 House—Hearing: Thursday, March 19, 2015, 1:30 PM Room 546S



03/16/2015 House—Withdrawn from Committee on Health and Human Services;  
Referred to Committee on Taxation—HJ 376  
03/17/2015 House—Withdrawn from Committee on Taxation; Rereferred to  
Committee on Health and Human Services—HJ 378  
03/24/2015 House—Withdrawn from Committee on Health and Human Services;  
Rereferred to Committee on Taxation—HJ 512  
05/07/2015 House—Withdrawn from Committee on Taxation; Referred to  
Committee on Appropriations—HJ 720  
05/20/2015 House—Withdrawn from Committee on Appropriations; Rereferred to  
Committee on Taxation—HJ 819

- H 2320** Bill by Representative Ballard  
**Directing the secretary of administration to study whether public employers engage in wage discrimination on the basis of sex.**  
02/11/2015 House—Introduced—HJ 212  
02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
- H 2321** Bill by Health and Human Services  
**Expanding the definition of charitable health care providers.**  
02/11/2015 House—Introduced—HJ 212  
02/12/2015 House—Referred to Committee on Health and Human Services—HJ 216  
02/17/2015 House—Withdrawn from Committee on Health and Human Services;  
Referred to Committee on Appropriations—HJ 251
- H 2322** Bill by Agriculture and Natural Resources  
**Kansas expanded lottery act and racetrack gaming amendments; Kansas agricultural opportunity act.**  
02/11/2015 House—Introduced—HJ 212  
02/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 216
- H 2323** Bill by Judiciary  
**Amending the Kansas act against discrimination regarding sexual orientation and gender identity.**  
02/12/2015 House—Introduced—HJ 215  
02/13/2015 House—Referred to Committee on Judiciary—HJ 230
- H 2324** Bill by Health and Human Services  
**Stillbirth research and dignity act.**  
02/12/2015 House—Introduced—HJ 215  
02/13/2015 House—Referred to Committee on Health and Human Services—HJ 230
- H 2325** Bill by Commerce, Labor and Economic Development  
**Enacting the public employee bargaining transparency act.**  
02/12/2015 House—Introduced—HJ 215  
02/13/2015 House—Referred to Committee on Commerce, Labor and Economic

Development—HJ 229

- H 2326** Bill by Commerce, Labor and Economic Development  
**Senate Substitute for HB 2326 by Committee on Education -- Amending the professional negotiations act.**  
 02/12/2015 House—Introduced—HJ 215  
 02/13/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 229  
 02/17/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 346S  
 02/23/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 280  
 02/25/2015 House—Committee of the Whole - Be passed as amended—HJ 300  
 02/26/2015 House—Final Action - Passed as amended; Yea: 109 Nay: 14—HJ 316  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Education—SJ 222  
 03/19/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Education—SJ 308  
 03/24/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 377  
 03/25/2015 Senate—Final Action - Substitute not passed; Yea: 13 Nay: 27—SJ 385
- H 2327** Bill by Transportation  
**Making the meteorite the official rock of the state of Kansas.**  
 02/12/2015 House—Introduced—HJ 215  
 02/13/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 229
- H 2328** Bill by Taxation  
**Sales tax refund on sales of certain required textbooks.**  
 02/12/2015 House—Introduced—HJ 215  
 02/13/2015 House—Referred to Committee on Taxation—HJ 230
- H 2329** Bill by Agriculture and Natural Resources  
**Creating a program to research the use of industrial hemp.**  
 02/12/2015 House—Introduced—HJ 215  
 02/13/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 229  
 02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 346S  
 02/25/2015 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 293  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2330** Bill by Federal and State Affairs  
**Substitute for HB 2330 by Committee on Judiciary - Qualifications for office of sheriff.**  
 02/12/2015 House—Introduced—HJ 215  
 02/13/2015 House—Referred to Committee on Judiciary—HJ 230

(SJ & HJ Nos. refer to 2015 Senate and House Journals)

02/26/2015 House—Hearing: Thursday, March 05, 2015, 3:30 PM Room 112N  
 03/11/2015 House—Committee Report recommending substitute bill be passed by  
 Committee on Judiciary—HJ 343

**H 2331** Bill by Federal and State Affairs

**Limiting regulations on the possession of firearms.**

02/12/2015 House—Introduced—HJ 215  
 02/13/2015 House—Referred to Committee on Federal and State Affairs—HJ 229  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 9:00 AM Room 346-S  
 02/20/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Federal and State Affairs—HJ 271  
 03/18/2015 House—Committee of the Whole - Be passed as amended—HJ 402  
 03/19/2015 House—Final Action - Passed as amended; Yea: 90 Nay: 30—HJ 425  
 03/19/2015 Senate—Received and Introduced—SJ 294  
 03/20/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 317  
 03/23/2015 Senate—Hearing: Tuesday, March 24, 2015, 1:00 PM Room 144-S  
 04/01/2015 Senate—Committee Report recommending bill be passed as amended  
 by Committee on Federal and State Affairs—SJ 449  
 05/14/2015 Senate—Committee of the Whole - Be passed as further amended—SJ  
 684  
 05/14/2015 Senate—Emergency Final Action - Passed as amended; Yea: 31 Nay: 5  
 —SJ 708  
 05/19/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Brunk, Representative Couture-  
 Lovelady and Representative Tietze as conferees—HJ 811  
 05/19/2015 Senate—Motion to accede adopted; Senator Ostmeyer, Senator  
 LaTurner and Senator Faust-Goudeau appointed as conferees—SJ 727  
 05/30/2015 Senate—Conference Committee Report agree to disagree adopted;  
 Senator Ostmeyer, Senator LaTurner and Senator Faust-Goudeau  
 appointed as second conferees—SJ 807  
 05/30/2015 House—Conference Committee Report agree to disagree adopted;  
 Representative Brunk, Representative Couture-Lovelady and  
 Representative Tietze appointed as second conferees Yea: 81 Nay: 27—HJ  
 952  
 06/01/2015 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 3—  
 SJ 977  
 06/02/2015 House—Conference Committee Report was adopted; Yea: 96 Nay: 14—  
 HJ 1038  
 06/05/2015 House—Enrolled and presented to Governor on Friday, June 05, 2015—  
 HJ 1714  
 06/09/2015 House—Approved by Governor on Tuesday, 09 June 2015—HJ 1738

**H 2332** Bill by Federal and State Affairs

**Authorizing microbreweries to manufacture and sell hard cider and mead.**

02/12/2015 House—Introduced—HJ 216  
 02/13/2015 House—Referred to Committee on Federal and State Affairs—HJ 229  
 02/13/2015 House—Hearing: Wednesday, February 18, 2015, 9:00 AM Room 346-S

- H 2333** Bill by Federal and State Affairs  
**Cause of action against a person who presents false identification to obtain alcoholic liquor.**  
 02/12/2015 House—Introduced—HJ 224  
 02/13/2015 House—Referred to Committee on Judiciary—HJ 230  
 02/26/2015 House—Hearing: Thursday, March 05, 2015, 3:30 PM Room 112N
- H 2334** Bill by Federal and State Affairs  
**Requirements on cash advance consumer loan transactions under the uniform consumer credit code.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Financial Institutions—HJ 229  
 03/11/2015 House—Withdrawn from Committee on Financial Institutions; Referred to Committee on Veterans, Military and Homeland Security—HJ 344
- H 2335** Bill by Corrections and Juvenile Justice  
**Creating alternative incarceration credit for inmates.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 229  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 152-S
- H 2336** Bill by Corrections and Juvenile Justice  
**Requiring use of risk assessment tool in certain juvenile cases; placement of juveniles in certain correctional facilities.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 229  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 152-S  
 02/20/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 270  
 02/26/2015 House—Committee of the Whole - Be passed as amended—HJ 317  
 02/26/2015 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 320  
 03/04/2015 Senate—Received and Introduced—SJ 223  
 03/05/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 228  
 03/16/2015 Senate—Hearing: Wednesday, March 18, 2015, 9:30 AM Room 118-N  
 03/19/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—SJ 308  
 03/24/2015 Senate—Committee of the Whole - Be passed as further amended—SJ 367  
 03/25/2015 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 386  
 03/31/2015 House—Concurred with amendments; Yea: 111 Nay: 5—HJ 570  
 04/29/2015 House—Enrolled and presented to Governor on Friday, April 03, 2015—HJ 632  
 04/29/2015 House—Approved by Governor on Wednesday, 08 April 2015—HJ 608

- H 2337** Bill by Corrections and Juvenile Justice  
**Removing reference to conservation camps.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 229  
 02/13/2015 House—Hearing: Tuesday, February 17, 2015, 1:30 PM Room 152-S  
 02/20/2015 House—Committee Report recommending bill be passed as amended  
 by Committee on Corrections and Juvenile Justice—HJ 270  
 03/04/2015 House—Stricken from Calendar by Rule 1507—HJ 326
- H 2338** Bill by Corrections and Juvenile Justice  
**Amendments to inherently dangerous felony list.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Corrections and Juvenile Justice—  
 HJ 229
- H 2339** Bill by Corrections and Juvenile Justice  
**Changing age of consent for sexual relations.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Judiciary—HJ 230
- H 2340** Bill by Elections  
**Elections; municipal, spring to fall, even years, partisan; special districts  
 spring to fall, odd years.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Elections—HJ 229
- H 2341** Bill by Agriculture and Natural Resources  
**Prioritizing options for disposal of seized wildlife.**  
 02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Agriculture and Natural Resources  
 —HJ 229  
 02/20/2015 House—Hearing: Monday, February 23, 2015, 3:30 PM Room 346S  
 02/26/2015 House—Withdrawn from Committee on Agriculture and Natural  
 Resources; Referred to Committee on Appropriations—HJ 307  
 03/18/2015 House—Withdrawn from Committee on Appropriations; Referred to  
 Committee on Judiciary—HJ 396  
 03/20/2015 House—Committee Report recommending bill be passed by Committee  
 on Judiciary—HJ 481  
 03/24/2015 House—Committee of the Whole - Be passed—HJ 513  
 03/25/2015 House—Final Action - Passed; Yea: 82 Nay: 43—HJ 525  
 03/25/2015 Senate—Received and Introduced—SJ 380  
 03/30/2015 Senate—Referred to Committee on Natural Resources—SJ 412
- H 2342** Bill by Judiciary  
**Relating to the determination of father and child relationship.**

02/12/2015 House—Introduced—HJ 225  
 02/13/2015 House—Referred to Committee on Judiciary—HJ 230

**H 2343** Bill by Veterans, Military and Homeland Security  
**Providing for fair consideration for employment to persons with records of convictions.**

02/13/2015 House—Introduced—HJ 229  
 02/16/2015 House—Referred to Committee on Judiciary—HJ 237

**H 2344** Bill by Judiciary  
**Thirty percent vote against retention of a court of appeals judge would result in an open position.**

02/13/2015 House—Introduced—HJ 229  
 02/16/2015 House—Referred to Committee on Judiciary—HJ 237

**H 2345** Bill by Judiciary  
**Prohibiting school board members from having a conflict of interest.**

02/13/2015 House—Introduced—HJ 229  
 02/16/2015 House—Referred to Committee on Education—HJ 237  
 02/26/2015 House—Hearing: Thursday, March 05, 2015, 1:30 PM Room 112N  
 02/26/2015 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 307

**H 2346** Bill by Judiciary  
**Draft budgets subject to the open records act.**

02/13/2015 House—Introduced—HJ 229  
 02/16/2015 House—Referred to Committee on Judiciary—HJ 237

**H 2347** Bill by Transportation  
**Expungement of traffic infractions for person under 21 years of age.**

02/13/2015 House—Introduced—HJ 229  
 02/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 237  
 02/19/2015 House—Hearing: Monday, February 23, 2015, 1:30 PM Room 152S

**H 2348** Bill by Vision 2020  
**Oil and gas and hydraulic fracturing.**

02/13/2015 House—Introduced—HJ 229  
 02/16/2015 House—Referred to Committee on Energy and Environment—HJ 237

**H 2349** Bill by Vision 2020  
**Oil and gas and imposing a moratorium on certain injection disposal wells.**

02/13/2015 House—Introduced—HJ 229  
 02/16/2015 House—Referred to Committee on Energy and Environment—HJ 237

**H 2350** Bill by Vision 2020

**Local governments and property assessments for qualified clean energy projects.**

02/13/2015 House—Introduced—HJ 229

02/16/2015 House—Referred to Committee on Energy and Environment—HJ 237

**H 2351** Bill by Agriculture and Natural Resources

**Allowing conservation districts to sponsor local enhanced management areas.**

02/13/2015 House—Introduced—HJ 229

02/16/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 237

02/26/2015 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Appropriations—HJ 307

03/05/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Agriculture and Natural Resources—HJ 330

**H 2352** Bill by Financial Institutions

**Insurance; coverage for autism spectrum disorder; notice of termination of coverage of motor vehicle insurance; consulting fees and examination period related to financial examinations; surplus lines insurance.**

02/13/2015 House—Introduced—HJ 234

02/16/2015 House—Referred to Committee on Financial Institutions—HJ 237

02/16/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 152S

02/25/2015 House—Committee Report recommending bill be passed by Committee on Financial Institutions—HJ 295

02/26/2015 House—Committee of the Whole - Be passed—HJ 317

02/26/2015 House—Emergency Final Action - Passed; Yea: 123 Nay: 0—HJ 321

03/04/2015 Senate—Received and Introduced—SJ 223

03/05/2015 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 228

03/11/2015 Senate—Hearing: Thursday, March 12, 2015, 9:30 AM Room 546-S

05/11/2015 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 597

05/12/2015 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Financial Institutions and Insurance—SJ 599

05/13/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 665

05/14/2015 Senate—Committee of the Whole - Be passed as amended—SJ 679

05/14/2015 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 709

05/19/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwab, Representative Bruchman and Representative Houston as conferees—HJ 811

05/19/2015 Senate—Motion to accede adopted; Senator Longbine, Senator Bowers and Senator Hawk appointed as conferees—SJ 727

05/28/2015 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 794

05/29/2015 House—Conference Committee Report was adopted; Yea: 119 Nay: 1—HJ 948

06/01/2015 House—Enrolled and presented to Governor on Monday, June 01, 2015

—HJ 1036

06/05/2015 House—Approved by Governor on Friday, 05 June 2015—HJ 1677

- H 2353** Bill by Federal and State Affairs  
**Senate Substitute for HB 2353 by Committee on Ways and Means - Education; amendments regarding virtual school state aid, supplemental general state aid, capital outlay state aid and capital improvement state aid.**
- 02/13/2015 House—Introduced—HJ 234  
 02/16/2015 House—Referred to Committee on Education—HJ 237  
 02/19/2015 House—Hearing: Friday, February 20, 2015, 1:00 PM Room 112N  
 02/23/2015 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education—HJ 280  
 02/26/2015 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 307  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Education—SJ 222  
 03/06/2015 Senate—Hearing: Tuesday, March 10, 2015, 1:30 PM Room 144-S  
 03/18/2015 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 266  
 03/18/2015 Senate—Hearing: Thursday, March 19, 2015, 10:30 AM Room 548-S  
 05/08/2015 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 595  
 05/21/2015 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 772  
 05/21/2015 Senate—Emergency Final Action - Substitute passed as amended; Yea: 39 Nay: 0—SJ 773  
 05/28/2015 House—Concurred with amendments; Yea: 113 Nay: 3—HJ 913  
 05/29/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Ryckman, Representative Schwartz and Representative Henry as conferees—HJ 916  
 05/29/2015 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 804  
 06/01/2015 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 980  
 06/02/2015 House—Conference Committee Report was adopted; Yea: 110 Nay: 0—HJ 1041  
 06/05/2015 House—Enrolled and presented to Governor on Friday, June 05, 2015—HJ 1714  
 06/09/2015 House—Approved by Governor on Tuesday, 09 June 2015—HJ 1738
- H 2354** Bill by Commerce, Labor and Economic Development  
**Project-related sales tax exemptions for certain businesses that create jobs.**
- 02/13/2015 House—Introduced—HJ 234  
 02/16/2015 House—Referred to Committee on Taxation—HJ 237
- H 2355** Bill by Commerce, Labor and Economic Development  
**Prohibiting advance payment for distribution of motion pictures to drive-in theaters.**
- 02/13/2015 House—Introduced—HJ 234

(SJ & HJ Nos. refer to 2015 Senate and House Journals)



02/16/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 237

- H 2356** Bill by Commerce, Labor and Economic Development  
**Providing for public safety with regard to elevators.**  
 02/13/2015 House—Introduced—HJ 234  
 02/16/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 237  
 03/06/2015 House—Hearing: Thursday, March 12, 2015, 1:30 PM Room 346-S-CANCELLED
- H 2357** Bill by Commerce, Labor and Economic Development  
**Department of labor; employment security; disqualification for benefits, administrative review, personnel carrying out act, filing of wage reports.**  
 02/13/2015 House—Introduced—HJ 234  
 02/16/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 237  
 02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 346S  
 02/26/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 307  
 03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 325  
 03/06/2015 House—Hearing: Tuesday, March 10, 2015, 1:30 PM Room 346-S
- H 2358** Bill by Corrections and Juvenile Justice  
**Removing age requirement from crime of female genital mutilation.**  
 02/13/2015 House—Introduced—HJ 234  
 02/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 237  
 02/19/2015 House—Hearing: Monday, February 23, 2015, 1:30 PM Room 152S  
 02/26/2015 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 307
- H 2359** Bill by Corrections and Juvenile Justice  
**Requiring law enforcement vehicle and body camera videos to be confidential.**  
 02/13/2015 House—Introduced—HJ 234  
 02/16/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 237
- H 2360** Bill by Pensions and Benefits  
**Increasing the membership of the KPERS board of trustees from nine to 11 members.**  
 02/13/2015 House—Introduced—HJ 234  
 02/16/2015 House—Referred to Committee on Pensions and Benefits—HJ 237  
 02/17/2015 House—Hearing: Wednesday, February 18, 2015, 9:00 AM Room 152S

- H 2361** Bill by Taxation  
**Sales tax authority for Bourbon county for constructing, furnishing and operating a jail facility; sales tax exemption for concern, inc.**  
 02/13/2015 House—Introduced—HJ 235  
 02/16/2015 House—Referred to Committee on Taxation—HJ 237  
 03/06/2015 House—Hearing: Tuesday, March 10, 2015, 3:30 PM Room 582-N
- H 2362** Bill by Health and Human Services  
**Substitute for HB 2362 by Committee on Health and Human Services - healing arts licensees, resident active licenses and health care records.**  
 02/13/2015 House—Introduced—HJ 235  
 02/16/2015 House—Referred to Committee on Health and Human Services—HJ 237  
 02/18/2015 House—Hearing: Thursday, February 19, 2015, 1:30 PM Room 546-S-CANCELLED  
 02/20/2015 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 267  
 03/04/2015 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 325  
 03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 546S  
 03/17/2015 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 393
- H 2363** Bill by General Government Budget Committee  
**Repealing the statutory requirement that there be one judge of the district court in each county.**  
 02/13/2015 House—Introduced—HJ 235  
 02/16/2015 House—Referred to Committee on Judiciary—HJ 237
- H 2364** Bill by Appropriations  
**Improvement districts; filling vacancies of directors.**  
 02/16/2015 House—Introduced—HJ 237  
 02/17/2015 House—Referred to Committee on Agriculture and Natural Resources—HJ 246  
 02/18/2015 House—Hearing: Thursday, February 19, 2015, 3:30 PM Room 346S  
 02/20/2015 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 269  
 02/25/2015 House—Committee of the Whole - Be passed—HJ 293  
 02/26/2015 House—Final Action - Passed; Yea: 98 Nay: 25—HJ 317  
 02/26/2015 Senate—Received and Introduced—SJ 194  
 03/04/2015 Senate—Referred to Committee on Agriculture—SJ 222  
 03/16/2015 Senate—Hearing: Tuesday, March 17, 2015, 8:30 AM Room 159-S  
 03/17/2015 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 263  
 03/19/2015 Senate—Committee of the Whole - Be passed as amended—SJ 298  
 03/19/2015 Senate—Emergency Final Action - Passed as amended; Yea: 37 Nay: 1—SJ 306

- 03/23/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Boldra and Representative Victors as conferees—HJ 498
- 03/24/2015 Senate—Motion to accede adopted; Senator Love, Senator Kerschen and Senator Francisco appointed as conferees—SJ 369
- 05/14/2015 Senate—Senator Pyle replaces Senator Love on the Conference Committee—SJ 673
- 05/14/2015 Senate—Senator Fitzgerald replaces Senator Kerschen on the Conference Committee—SJ 673
- 05/14/2015 Senate—Senator Faust-Goudeau replaces Senator Francisco on the Conference Committee—SJ 673
- 05/19/2015 House—Representative Huebert replaces Representative Schwartz on the Conference Committee—HJ 812
- 05/19/2015 House—Representative Phillips replaces Representative Boldra on the Conference Committee—HJ 812
- 05/19/2015 House—Representative Alcalá replaces Representative Victors on the Conference Committee—HJ 812
- 05/21/2015 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 766
- 05/26/2015 House—Conference Committee Report was adopted; Yea: 113 Nay: 0—HJ 907
- 05/29/2015 House—Enrolled and presented to Governor on Friday, May 29, 2015—HJ 949
- 06/02/2015 House—Approved by Governor on Tuesday, 02 June 2015—HJ 1038

**H 2365** Bill by Appropriations  
**Appropriations for the judicial branch for FY16 and FY17; court fees, docket fees and court costs; relating to dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund.**

- 02/16/2015 House—Introduced—HJ 237
- 02/17/2015 House—Referred to Committee on Appropriations—HJ 246
- 03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 112N
- 05/05/2015 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 669
- 05/07/2015 House—Committee of the Whole - Be passed as amended—HJ 736
- 05/07/2015 House—Emergency Final Action - Passed as amended; Yea: 108 Nay: 10—HJ 742
- 05/11/2015 Senate—Received and Introduced—SJ 597
- 05/12/2015 Senate—Referred to Committee on Ways and Means—SJ 599

**H 2366** Bill by Appropriations  
**Capital improvement projects for various state agencies.**

- 02/16/2015 House—Introduced—HJ 237
- 02/17/2015 House—Referred to Committee on Appropriations—HJ 246
- 03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 112N

**H 2367** Bill by Taxation

**Including Miami county as a rural opportunity zone.**

02/16/2015 House—Introduced—HJ 237

02/17/2015 House—Referred to Committee on Taxation—HJ 246

03/06/2015 House—Hearing: Wednesday, March 11, 2015, 3:30 PM Room 582-N

**H 2368** Bill by Federal and State Affairs**Establishing arts and cultural districts for the promotion of arts and culture.**

02/16/2015 House—Introduced—HJ 237

02/17/2015 House—Referred to Committee on Federal and State Affairs—HJ 246

02/26/2015 House—Hearing: Thursday, March 05, 2015, 9:00 AM Room 346S

**H 2369** Bill by Appropriations**Prohibiting minors' access to a tanning device.**

02/17/2015 House—Introduced—HJ 251

02/18/2015 House—Referred to Committee on Health and Human Services—HJ  
254**H 2370** Bill by Appropriations**Substitute for HB 2370 by Committee on Appropriations — Appropriations for  
FY 2015, FY 2016, FY 2017, FY 2018 and FY 2019 for various state  
agencies; capital improvement projects.**

02/17/2015 House—Introduced—HJ 251

02/18/2015 House—Referred to Committee on Appropriations—HJ 254

03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 112N

03/19/2015 House—Committee Report recommending substitute bill be passed by  
Committee on Appropriations—HJ 429**H 2371** Bill by Federal and State Affairs**Exclusion of fantasy sports leagues from the crime of gambling.**

02/18/2015 House—Introduced—HJ 254

02/19/2015 House—Referred to Committee on Federal and State Affairs—HJ 261

03/11/2015 House—Hearing: Wednesday, March 11, 2015, 9:00 AM Room 346

03/16/2015 House—Committee Report recommending bill be passed by Committee  
on Federal and State Affairs—HJ 373**H 2372** Bill by Taxation**Providing a property tax exemption for trailers used exclusively for personal  
use.**

02/18/2015 House—Introduced—HJ 254

02/19/2015 House—Referred to Committee on Taxation—HJ 261

**H 2373** Bill by Taxation**Renewable energy standards act sunset.**

02/18/2015 House—Introduced—HJ 254

02/19/2015 House—Referred to Committee on Energy and Environment—HJ 261

03/05/2015 House—Hearing: Wednesday, March 11, 2015, 9:00 AM Room 582N

03/12/2015 House—Hearing: Friday, March 13, 2015, 9:00 AM Room 582N

03/13/2015 House—Hearing: Monday, March 16, 2015, 9:00 AM Room 582N

- H 2374** Bill by Appropriations  
**Establishing a new type of installment loan.**  
02/18/2015 House—Introduced—HJ 256  
02/19/2015 House—Referred to Committee on Financial Institutions—HJ 261
- H 2375** Bill by Appropriations  
**Enacting the gun violence restraining order act.**  
02/18/2015 House—Introduced—HJ 256  
02/19/2015 House—Referred to Committee on Federal and State Affairs—HJ 261
- H 2376** Bill by Federal and State Affairs  
**Emergency medical services board authority to impose fines, investigate and issue subpoenas.**  
02/19/2015 House—Introduced—HJ 260  
02/20/2015 House—Referred to Committee on Health and Human Services—HJ 267  
03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 546S  
03/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 343
- H 2377** Bill by Taxation  
**Providing for a property tax averaging payment plan and a property tax installment payment plan.**  
02/19/2015 House—Introduced—HJ 260  
02/20/2015 House—Referred to Committee on Taxation—HJ 267
- H 2378** Bill by Appropriations  
**Establishing the Kansas legislature award for teaching excellence program.**  
02/19/2015 House—Introduced—HJ 260  
02/20/2015 House—Referred to Committee on Education—HJ 267  
03/05/2015 House—Hearing: Wednesday, March 11, 2015, 1:30 PM Room 112N
- H 2379** Bill by Taxation  
**Income tax deduction for net gain from sale of business assets.**  
02/19/2015 House—Introduced—HJ 260  
02/20/2015 House—Referred to Committee on Taxation—HJ 267
- H 2380** Bill by Federal and State Affairs  
**Regional system of cooperating libraries; appointment of members; certain members appointed by board of county commissioners.**  
02/19/2015 House—Introduced—HJ 260  
02/20/2015 House—Referred to Committee on Federal and State Affairs—HJ 267
- H 2381** Bill by Federal and State Affairs

**Kansas department for children and families; eligibility requirements for public assistance.**

- 02/19/2015 House—Introduced—HJ 265  
 02/20/2015 House—Referred to Committee on Children and Seniors—HJ 267  
 02/24/2015 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Commerce, Labor and Economic Development—HJ 285  
 02/26/2015 House—Hearing: Wednesday, March 04, 2015, 1:30 PM Room 346S  
 03/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 356

**H 2382** Bill by Appropriations

**Placement of juveniles in certain correctional facilities.**

- 02/20/2015 House—Introduced—HJ 266  
 02/23/2015 House—Referred to Committee on Corrections and Juvenile Justice—HJ 278  
 03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 152S  
 03/11/2015 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 343  
 03/17/2015 House—Committee of the Whole - Be passed as amended—HJ 379  
 03/18/2015 House—Final Action - Passed as amended; Yea: 115 Nay: 6—HJ 397  
 03/18/2015 Senate—Received and Introduced—SJ 266  
 03/19/2015 Senate—Referred to Committee on Corrections and Juvenile Justice—SJ 294

**H 2383** Bill by Federal and State Affairs

**Substitute for HB 2383 by Committee on Federal and State Affairs -- Creating the Kansas charitable bingo and raffle act.**

- 02/20/2015 House—Introduced—HJ 275  
 02/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 278  
 02/23/2015 House—Hearing: Monday, February 23, 2015, 9:00 AM Room 346S  
 02/23/2015 House—Hearing: Tuesday, February 24, 2015, 9:00 AM Room 346S  
 02/26/2015 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 322

**H 2384** Bill by Federal and State Affairs

**Rule of law restoration act; immigration.**

- 02/20/2015 House—Introduced—HJ 275  
 02/23/2015 House—Referred to Committee on Judiciary—HJ 278

**H 2385** Bill by Federal and State Affairs

**Alcoholic beverages; authorizing additional temporary permits for the Kansas state fair.**

- 02/20/2015 House—Introduced—HJ 275  
 02/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 278  
 03/13/2015 House—Hearing: Wednesday, March 18, 2015, 9:00 AM Room 346S

**H 2386** Bill by Federal and State Affairs

**Interstate compact for recognition of emergency personnel licensure.**

02/20/2015 House—Introduced—HJ 275

02/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 278

**H 2387** Bill by Federal and State Affairs**Emergency medical services amendments.**

02/20/2015 House—Introduced—HJ 275

02/23/2015 House—Referred to Committee on Health and Human Services—HJ 278

03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 546S

03/11/2015 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 343

03/19/2015 House—Committee of the Whole - Be passed—HJ 426

03/20/2015 House—Final Action - Passed; Yea: 115 Nay: 0—HJ 478

03/23/2015 Senate—Received and Introduced—SJ 319

03/24/2015 Senate—Referred to Committee on Federal and State Affairs—SJ 360

**H 2388** Bill by Taxation**Sales tax exemption for helping hands humane society, inc.**

02/20/2015 House—Introduced—HJ 275

02/23/2015 House—Referred to Committee on Taxation—HJ 278

**H 2389** Bill by Taxation**Income tax treatment of net operating loss carryback on the sale of certain hotels.**

02/20/2015 House—Introduced—HJ 275

02/23/2015 House—Referred to Committee on Taxation—HJ 278

03/18/2015 House—Hearing: Thursday, March 19, 2015, 3:30 PM Room 582-N

**H 2390** Bill by Taxation**Highway advertising; permitting spot zoning.**

02/20/2015 House—Introduced—HJ 275

02/23/2015 House—Referred to Committee on Transportation—HJ 278

**H 2391** Bill by Appropriations**State employees; classified positions converted to unclassified positions.**

02/24/2015 House—Introduced—HJ 283

02/25/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 287

03/05/2015 House—Hearing: Monday, March 09, 2015, 1:30 PM Room 346S

03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 430

03/24/2015 House—Rep. Carmichael challenged the ruling that the amendment was not germane; Ruling was sustained.—HJ 506

03/24/2015 House—Committee of the Whole - Be passed as amended Yea: 71 Nay: 53—HJ 507

03/25/2015 House—Final Action - Passed as amended; Yea: 74 Nay: 51—HJ 525

03/25/2015 Senate—Received and Introduced—SJ 380  
 03/30/2015 Senate—Referred to Committee on Commerce—SJ 412  
 03/30/2015 Senate—Hearing: Tuesday, March 31, 2015, 8:30 AM Room 548-S  
 03/31/2015 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 420  
 05/05/2015 Senate—Committee of the Whole - Be passed—SJ 551  
 05/05/2015 Senate—Emergency Final Action - Passed; Yea: 24 Nay: 16—SJ 562  
 05/11/2015 House—Enrolled and presented to Governor on Monday, May 11, 2015—HJ 769  
 05/15/2015 House—Approved by Governor on Thursday, 14 May 2015—HJ 795

**H 2392** Bill by Taxation  
**Modifications to Kansas adjusted gross income relative to passive income for Kansas income tax purposes.**

02/24/2015 House—Introduced—HJ 285  
 02/25/2015 House—Referred to Committee on Taxation—HJ 287  
 03/06/2015 House—Hearing: Thursday, March 12, 2015, 3:30 PM Room 582-N

**H 2393** Bill by Federal and State Affairs  
**Requiring school districts to use generally accepted accounting principles; financial publication requirements.**

02/25/2015 House—Introduced—HJ 288  
 02/26/2015 House—Referred to Committee on Education—HJ 306  
 03/04/2015 House—Hearing: Thursday, March 05, 2015, 1:30 PM Room 112N

**H 2394** Bill by Appropriations  
**Career technical education incentive draw down.**

02/25/2015 House—Introduced—HJ 299  
 02/26/2015 House—Referred to Committee on Education Budget—HJ 306  
 02/26/2015 House—Hearing: Wednesday, March 04, 2015, 3:30 PM Room 281N  
 03/09/2015 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 334

**H 2395** Bill by Appropriations  
**State building projects; negotiating committees; alternative procurement.**

02/25/2015 House—Introduced—HJ 299  
 02/26/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 306  
 03/04/2015 House—Hearing: Thursday, March 05, 2015, 1:30 PM Room 346S  
 03/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 358  
 03/25/2015 House—Committee of the Whole - Be passed as amended—HJ 547  
 03/25/2015 House—Emergency Final Action - Passed as amended; Yea: 120 Nay: 4—HJ 554  
 03/30/2015 Senate—Received and Introduced—SJ 414  
 03/31/2015 Senate—Referred to Committee on Ways and Means—SJ 417  
 04/29/2015 Senate—Hearing: Wednesday, April 29, 2015, 10:30 AM Room 548-S  
 04/30/2015 Senate—Committee Report recommending bill be passed as amended



by Committee on Ways and Means—SJ 533  
 05/05/2015 Senate—Committee of the Whole - Be passed as amended—SJ 562  
 05/05/2015 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 562  
 05/08/2015 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hutton, Representative Mason and Representative Frownfelter as conferees—HJ 745  
 05/11/2015 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 597  
 05/14/2015 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 1—SJ 716  
 05/18/2015 House—Conference Committee Report was adopted; Yea: 110 Nay: 4—HJ 808  
 05/26/2015 House—Enrolled and presented to Governor on Friday, May 22, 2015—HJ 908  
 05/28/2015 House—Approved by Governor on Wednesday, 27 May 2015—HJ 913

- H 2396** Bill by Taxation  
**Ten-year limit on property tax exemption for renewable energy resources or technologies.**  
 02/26/2015 House—Introduced—HJ 323  
 03/04/2015 House—Referred to Committee on Taxation—HJ 324  
 03/13/2015 House—Hearing: Thursday, March 19, 2015, 3:30 PM Room 582N
- H 2397** Bill by Federal and State Affairs  
**Unmanned aerial vehicle regulation and privacy act.**  
 03/04/2015 House—Introduced—HJ 325  
 03/05/2015 House—Referred to Committee on Federal and State Affairs—HJ 328
- H 2398** Bill by Federal and State Affairs  
**Elections; presidential preference primary date delayed.**  
 03/05/2015 House—Introduced—HJ 328  
 03/06/2015 House—Referred to Committee on Elections—HJ 331  
 03/13/2015 House—Hearing: Monday, March 16, 2015, 1:30 PM Room 281N  
 03/19/2015 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 459
- H 2399** Bill by Taxation  
**Increasing sales and compensating use tax rates to 6.3%.**  
 03/05/2015 House—Introduced—HJ 329  
 03/06/2015 House—Referred to Committee on Taxation—HJ 331  
 03/13/2015 House—Hearing: Tuesday, March 17, 2015, 3:30 PM Room 582N
- H 2400** Bill by Taxation  
**Repealing the local ad valorem tax reduction fund.**  
 03/05/2015 House—Introduced—HJ 329  
 03/06/2015 House—Referred to Committee on Taxation—HJ 331

03/13/2015 House—Hearing: Tuesday, March 17, 2015, 3:30 PM Room 582N

- H 2401** Bill by Taxation  
**Imposing an excise tax on ethanol production and electricity generated by renewable resources.**  
 03/05/2015 House—Introduced—HJ 329  
 03/06/2015 House—Referred to Committee on Taxation—HJ 331  
 03/13/2015 House—Hearing: Wednesday, March 18, 2015, 3:30 PM Room 582N
- H 2402** Bill by Taxation  
**STAR bonds; definition of STAR bond project, pledge of tax increment revenue, limitations, distribution of sales tax revenue, creating the department of commerce STAR bond administration fund and the department of revenue STAR bond administration fund.**  
 03/05/2015 House—Introduced—HJ 329  
 03/06/2015 House—Referred to Committee on Taxation—HJ 331  
 03/12/2015 House—Hearing: Friday, March 13, 2015, 3:30 PM Room 582-N-CANCELLED
- H 2403** Bill by Appropriations  
**Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education.**  
 03/05/2015 House—Introduced—HJ 329  
 03/06/2015 House—Referred to Committee on Appropriations—HJ 331  
 03/06/2015 House—Hearing: Monday, March 09, 2015, 9:00 AM Room 112-N
- H 2404** Bill by Taxation  
**Allowing counties to submit question to voters to eliminate county property taxes and replace revenues with increased sales taxes.**  
 03/10/2015 House—Introduced—HJ 337  
 03/11/2015 House—Referred to Committee on Taxation—HJ 339
- H 2405** Bill by Taxation  
**Extending the sunset on the angel investment tax credit program.**  
 03/11/2015 House—Introduced—HJ 344  
 03/12/2015 House—Referred to Committee on Taxation—HJ 347
- H 2406** Bill by Taxation  
**Urban core economic development tax-based incentives for housing, opportunity zones and individual development.**  
 03/11/2015 House—Introduced—HJ 344  
 03/12/2015 House—Referred to Committee on Taxation—HJ 347
- H 2407** Bill by Federal and State Affairs  
**State infrastructure projects; allowing for public private agreements.**

03/11/2015 House—Introduced—HJ 344  
 03/12/2015 House—Referred to Committee on Federal and State Affairs—HJ 347

- H 2408** Bill by Taxation  
**Repealing certain sales tax exemptions.**  
 03/11/2015 House—Introduced—HJ 344  
 03/12/2015 House—Referred to Committee on Taxation—HJ 347
- H 2409** Bill by Taxation  
**Eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of \$20,000 of its appraised value.**  
 03/12/2015 House—Introduced—HJ 347  
 03/13/2015 House—Referred to Committee on Taxation—HJ 363  
 03/18/2015 House—Hearing: Thursday, March 19, 2015, 3:30 PM Room 582-N
- H 2410** Bill by Appropriations  
**STAR bonds; economic impact study; base year assessed valuation for additions of area to project districts; financing in excess of approved amounts.**  
 03/12/2015 House—Introduced—HJ 361  
 03/13/2015 House—Referred to Committee on Taxation—HJ 363
- H 2411** Bill by Appropriations  
**Abolishing the court of appeals; establishing the court of criminal appeals and the court of civil appeals; changing appellate court jurisdiction.**  
 03/13/2015 House—Introduced—HJ 370  
 03/16/2015 House—Referred to Committee on Judiciary—HJ 372
- H 2412** Bill by Appropriations  
**Providing optional notification by website.**  
 03/16/2015 House—Introduced—HJ 372  
 03/17/2015 House—Referred to Committee on Appropriations—HJ 378
- H 2413** Bill by Federal and State Affairs  
**Alcoholic beverages; creating the art studio permit.**  
 03/16/2015 House—Introduced—HJ 375  
 03/17/2015 House—Referred to Committee on Federal and State Affairs—HJ 378  
 03/17/2015 House—Hearing: Wednesday, March 18, 2015, 9:00 AM Room 346-S
- H 2414** Bill by Federal and State Affairs  
**Department of health and environment and economic impact reports for state implementation plans.**  
 03/17/2015 House—Introduced—HJ 378  
 03/18/2015 House—Referred to Committee on Energy and Environment—HJ 396

- H 2415** Bill by Taxation  
**Property taxation; consolidated fire districts, powers and duties of the governing body.**  
 03/17/2015 House—Introduced—HJ 394  
 03/18/2015 House—Referred to Committee on Taxation—HJ 396  
 03/18/2015 House—Hearing: Wednesday, March 18, 2015, 3:30 PM Room 582-N
- H 2416** Bill by Appropriations  
**KPERS; definition of compensation for purposes of computing final average salary.**  
 03/19/2015 House—Introduced—HJ 475  
 03/20/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 477  
 03/31/2015 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Calendar and Printing—HJ 572
- H 2417** Bill by Federal and State Affairs  
**Abortion; prohibiting decapitation of unborn children.**  
 03/23/2015 House—Introduced—HJ 486  
 03/24/2015 House—Referred to Committee on Federal and State Affairs—HJ 500
- H 2418** Bill by Appropriations  
**Review of and limitations on contracts and lease-purchase agreements for energy conservation measures.**  
 04/02/2015 House—Introduced—HJ 588  
 04/29/2015 House—Referred to Committee on Judiciary—HJ 608  
 05/05/2015 House—Withdrawn from Committee on Judiciary; Referred to Committee on Commerce, Labor and Economic Development—HJ 668  
 05/07/2015 House—Hearing: Monday, May 11, 2015, 9:00 AM Room 582-N
- H 2419** Bill by Taxation  
**Taxing moneys, notes and other evidences of indebtedness; providing for the administration, collection and enforcement of the tax thereon.**  
 04/02/2015 House—Introduced—HJ 595  
 04/29/2015 House—Referred to Committee on Taxation—HJ 608
- H 2420** Bill by Taxation  
**Property exempted from taxation after July 1, 2015, not exempt from levies made by or on behalf of a school district.**  
 04/02/2015 House—Introduced—HJ 595  
 04/29/2015 House—Referred to Committee on Taxation—HJ 608
- H 2421** Bill by Taxation  
**Sunset of property tax exemption for new qualifying pipeline property and retention of exemption for existing exemptions.**  
 04/02/2015 House—Introduced—HJ 595

04/29/2015 House—Referred to Committee on Taxation—HJ 608

**H 2422** Bill by Taxation

**Limiting appeals of property valuation to spring only.**

04/02/2015 House—Introduced—HJ 596

04/29/2015 House—Referred to Committee on Taxation—HJ 608

**H 2423** Bill by Taxation

**Setting the state-wide school levy at 30 mills for school year 2015-2016 and school year 2016-2017.**

04/02/2015 House—Introduced—HJ 596

04/29/2015 House—Referred to Committee on Taxation—HJ 608

**H 2424** Bill by Taxation

**Providing for a state-wide school levy of 5 mills on exempt property.**

04/02/2015 House—Introduced—HJ 596

04/29/2015 House—Referred to Committee on Taxation—HJ 608

**H 2425** Bill by Taxation

**Income tax rates, rate reductions.**

04/02/2015 House—Introduced—HJ 596

04/29/2015 House—Referred to Committee on Taxation—HJ 608

**H 2426** Bill by Appropriations

**KPERS; definition of compensation for purposes of computing final average salary.**

05/01/2015 House—Introduced—HJ 659

05/04/2015 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 663

05/06/2015 House—Hearing: Monday, May 11, 2015, 9:00 AM Room 582-N

**H 2427** Bill by Taxation

**Providing for a \$.05 increase in motor fuel taxes.**

05/04/2015 House—Introduced—HJ 663

05/05/2015 House—Referred to Committee on Taxation—HJ 668

05/05/2015 House—Hearing: Tuesday, May 05, 2015, 3:30 PM Room 582-N

**H 2428** Bill by Taxation

**Income tax rates on corporations; sunseting certain credits for high performance firms; sunseting benefits under the promoting employment across Kansas act; sales tax, sunseting certain exemptions for high performance firms.**

05/05/2015 House—Introduced—HJ 667

05/06/2015 House—Referred to Committee on Taxation—HJ 706

**H 2429** Bill by Taxation

**Increasing sales and compensating use tax rates to 6.5%.**

05/05/2015 House—Introduced—HJ 667

05/06/2015 House—Referred to Committee on Taxation—HJ 706

05/06/2015 House—Hearing: Wednesday, May 06, 2015, 3:30 PM Room 346-S

**H 2430** Bill by Taxation**Taxing certain business income at the lowest marginal rate for resident individuals; determination of income.**

05/05/2015 House—Introduced—HJ 667

05/06/2015 House—Referred to Committee on Taxation—HJ 706

05/06/2015 House—Hearing: Thursday, May 07, 2015, 8:30 AM Room 346-S

05/12/2015 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 771

**H 2431** Bill by Taxation**Computation of amount of personal property tax on motor vehicles.**

05/06/2015 House—Introduced—HJ 717

05/07/2015 House—Referred to Committee on Taxation—HJ 720

**H 2432** Bill by Taxation**Providing the secretary of health and environment exclusive authority to establish fees for thermal treatment of hazardous waste for energy production.**

05/07/2015 House—Introduced—HJ 719

05/08/2015 House—Referred to Committee on Taxation—HJ 744

**H 2433** Bill by Taxation**Amending itemized deductions.**

05/18/2015 House—Introduced—HJ 804

05/19/2015 House—Referred to Committee on Taxation—HJ 810

**H 2434** Bill by Taxation**Limiting the subtraction modification on business income for tax year 2015 and thereafter; repealing certain addition modifications; treatment of passive income.**

05/18/2015 House—Introduced—HJ 808

05/19/2015 House—Referred to Committee on Taxation—HJ 810

05/19/2015 House—Hearing: Tuesday, May 19, 2015, 8:30 AM Room 112-N

**H 2435** Bill by Taxation**Repealing sales tax exemptions for materials purchased by contractors to construct, equip, reconstruct, maintain, repair, enlarge, furnish or remodel public buildings.**

05/19/2015 House—Introduced—HJ 816

05/19/2015 House—Referred to Committee on Taxation—HJ 816

05/19/2015 House—Hearing: Wednesday, May 20, 2015, 10:00 AM Room 112-N

## TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

- H 5001** Concurrent Resolution by Representatives Merrick, Burroughs  
**Joint session for hearing message of the governor.**  
 01/12/2015 House—Introduced—HJ 43  
 01/12/2015 House—Adopted without roll call  
 01/13/2015 Senate—Received and Introduced—SJ 15  
 01/13/2015 Senate—Adopted without roll call—SJ 15  
 01/23/2015 House—Enrolled on Friday, January 23, 2015—HJ 115
- H 5002** Concurrent Resolution by Representatives Merrick, Burroughs  
**Joint rules for the Senate and House of Representatives, 2015-2016.**  
 01/12/2015 House—Introduced—HJ 44  
 01/13/2015 House—Referred to Committee on Rules and Journal—HJ 54  
 01/21/2015 House—Committee Report recommending resolution be adopted by  
 Committee on Rules and Journal—HJ 104  
 01/27/2015 House—Committee of the Whole - Be adopted as amended  
 01/28/2015 House—Final Action - Adopted as amended; Yea: 116 Nay: 3—HJ 129  
 01/28/2015 Senate—Received and Introduced—SJ 47  
 02/04/2015 Senate—Motion to Amend - Offered by Senator King—SJ 66  
 02/04/2015 Senate—Amendment by Senator King was adopted—SJ 66  
 02/04/2015 Senate—Final Action - Adopted as amended; Yea: 35 Nay: 4—SJ 67  
 02/05/2015 House—Nonconcurrent with amendments; Conference Committee  
 requested; appointed Representative Barker, Representative Kahrs and  
 Representative Trimmer as conferees—HJ 173  
 02/05/2015 Senate—Motion to accede adopted; Senator King, Senator Bruce and  
 Senator Hensley appointed as conferees—SJ 82  
 02/11/2015 Senate—Conference Committee Report agree to disagree adopted;  
 Senator King, Senator Bruce and Senator Hensley appointed as second  
 conferees—SJ 100  
 02/12/2015 House—Conference Committee Report agree to disagree, not adopted  
 —HJ 216  
 02/12/2015 House—Motion to reconsider by Rep. Rubin adopted.—HJ 227  
 02/12/2015 House—Conference Committee Report agree to disagree adopted;  
 Representative Barker, Representative Kahrs and Representative Trimmer  
 appointed as second conferees—HJ 227  
 02/16/2015 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 7—  
 SJ 119  
 02/17/2015 House—Substitute motion by Rep. Ward to Not Adopt the CCR and  
 Appoint a New Conference Committee was rejected.  
 02/17/2015 House—Conference Committee Report was adopted; Yea: 83 Nay: 38—  
 HJ 248  
 02/24/2015 House—Enrolled on Tuesday, February 24, 2015—HJ 285
- H 5003** Concurrent Resolution by Federal and State Affairs  
**Constitutional amendment; extend recall elections to elected judicial officers.**  
 01/15/2015 House—Introduced—HJ 62  
 01/16/2015 House—Referred to Committee on Judiciary—HJ 72

- H 5004** Concurrent Resolution by Judiciary  
**Constitutional amendment revising article 3, relating to the judiciary; providing for direct partisan election of supreme court justices and court of appeals judges; abolishing the supreme court nominating commission.**  
 01/20/2015 House—Introduced—HJ 83  
 01/21/2015 House—Referred to Committee on Judiciary—HJ 104  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 112N  
 02/17/2015 House—Committee Report recommending resolution be adopted by Committee on Judiciary—HJ 251
- H 5005** Concurrent Resolution by Judiciary  
**Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; abolishing the supreme court nominating commission.**  
 01/20/2015 House—Introduced—HJ 88  
 01/21/2015 House—Referred to Committee on Judiciary—HJ 104  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:30 PM Room 112N  
 02/17/2015 House—Committee Report recommending resolution be adopted as amended by Committee on Judiciary—HJ 251
- H 5006** Concurrent Resolution by Judiciary  
**Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; lifetime appointment, subject to removal for cause; retaining the supreme court nominating commission, membership amended.**  
 01/20/2015 House—Introduced—HJ 94  
 01/21/2015 House—Referred to Committee on Judiciary—HJ 104
- H 5007** Concurrent Resolution by Veterans, Military and Homeland Security  
**Constitutional amendment providing authority to the legislature to limit valuation increases for certain residential property owned by a disabled person who served in the armed forces or national guard for property tax purposes.**  
 01/22/2015 House—Introduced—HJ 106  
 01/23/2015 House—Referred to Committee on Taxation—HJ 114
- H 5008** Concurrent Resolution by Representatives Couture-Lovelady, Lusker  
**Right of public to hunt, fish and trap.**  
 01/22/2015 House—Introduced—HJ 109  
 01/23/2015 House—Referred to Committee on Federal and State Affairs—HJ 114  
 02/10/2015 House—Hearing: Wednesday, February 11, 2015, 3:25 PM Room 112N
- H 5009** Concurrent Resolution by Judiciary  
**Constitutional amendment; 33% vote against retention of a supreme court**



**justice would result in open position.**

01/27/2015 House—Introduced—HJ 121

01/28/2015 House—Referred to Committee on Judiciary—HJ 129

- H 5010** Concurrent Resolution by Representatives DeGraaf, Anthimides, Barton, Bradford, Brunk, Campbell, B. Carpenter, Dannebohm, Dove, Esau, Estes, Ewy, Garber, Gonzalez, Hawkins, Hedke, Hibbard, Hildabrand, Hoffman, Huebert, Hutchins, Johnson, K. Jones, Kahrs, Kelley, Kiegerl, Macheers, Mason, O'Brien, Osterman, Peck, R. Powell, Read, Rhoades, Rubin, Scapa, Seiwert, Sutton, Waymaster, Whitmer, K. Williams  
**Making application to the U.S. congress to call a convention of the states.**  
 01/29/2015 House—Introduced—HJ 138  
 01/30/2015 House—Referred to Committee on Federal and State Affairs—HJ 140  
 03/10/2015 House—Hearing: Thursday, March 12, 2015, 9:00 AM Room 346S  
 03/19/2015 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 465
- H 5011** Concurrent Resolution by Education Budget Committee  
**Foresight 2020 strategic plan.**  
 02/02/2015 House—Introduced—HJ 146  
 02/03/2015 House—Referred to Committee on Education—HJ 150
- H 5012** Concurrent Resolution by Judiciary  
**Constitutional amendment; abolishing the supreme court nominating commission; supreme court justices appointed by governor from nominees submitted by House Judiciary committee, subject to Senate confirmation.**  
 02/10/2015 House—Introduced—HJ 185  
 02/11/2015 House—Referred to Committee on Judiciary—HJ 206
- H 5013** Concurrent Resolution by Judiciary  
**Constitutional amendment revising article 3, relating to the judiciary; placing the court of appeals into the constitution; changing the membership of the supreme court nominating commission.**  
 02/10/2015 House—Introduced—HJ 194  
 02/11/2015 House—Referred to Committee on Judiciary—HJ 206
- H 5014** Concurrent Resolution by Federal and State Affairs  
**Constitutional amendment; clarifying the power of the legislature to make appropriations.**  
 02/12/2015 House—Introduced—HJ 226  
 02/13/2015 House—Referred to Committee on Federal and State Affairs—HJ 229
- H 5015** Concurrent Resolution by Judiciary  
**Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; retaining the supreme court**

**nominating commission, membership amended.**

02/17/2015 House—Introduced—HJ 239

02/18/2015 House—Referred to Committee on Judiciary—HJ 254

**H 5016** Concurrent Resolution by Representatives Merrick, Burroughs  
**Adjournment of the legislature for a time during the 2015 Session.**

03/25/2015 House—Introduced—HJ 560

03/25/2015 House—Adopted without roll call—HJ 560

03/25/2015 Senate—Received and Introduced—SJ 410

03/25/2015 Senate—Adopted without roll call—SJ 410

04/02/2015 House—Enrolled on Thursday, April 02, 2015—HJ 604

**H 5017** Concurrent Resolution by Representatives Merrick, Burroughs  
**Adjournment of the legislature for a time during the 2015 session.**

04/02/2015 House—Introduced

04/02/2015 House—Adopted without roll call—HJ 603

04/02/2015 Senate—Received and Introduced—SJ 519

04/02/2015 Senate—Adopted without roll call—SJ 519

05/05/2015 House—Enrolled on Tuesday, May 05, 2015—HJ 705

**H 5018** Concurrent Resolution by Representatives Garber, Anthimides, Barton, Bradford, Brunk, W. Carpenter, Clark, Corbet, DeGraaf, Dove, Ewy, Goico, Hedke, Highland, Hoffman, Huebert, Hutchins, Hutton, K. Jones, Kiegerl, O'Brien, Pauls, Peck, R. Powell, Read, Rhoades, Scapa, Seiwert, Thimesch  
**State constitutional human life amendment.**

05/05/2015 House—Introduced—HJ 667

05/06/2015 House—Referred to Committee on Federal and State Affairs—HJ 706

**H 5019** Concurrent Resolution by Representatives Merrick, Burroughs  
**Adjournment of legislature for a time during the 2015 session.**

05/21/2015 House—Introduced—HJ 902

05/21/2015 House—Adopted without roll call—HJ 902

05/21/2015 Senate—Received and Introduced—SJ 774

05/21/2015 Senate—Adopted without roll call—SJ 774

05/28/2015 House—Enrolled on Thursday, May 28, 2015—HJ 914

## TITLE AND HISTORY OF HOUSE RESOLUTIONS

**H 6001** Resolution by Representatives Merrick, Burroughs  
**Organization of the House of Representatives, 2015.**

01/12/2015 House—Introduced

01/12/2015 House—Adopted without roll call—HJ 15

01/20/2015 House—Enrolled on Tuesday, January 20, 2015—HJ 101

**H 6002** Resolution by Representatives Merrick, Burroughs  
**Assignment of seats in House of Representatives, 2015.**

01/12/2015 House—Introduced

01/12/2015 House—Adopted without roll call—HJ 16  
 01/20/2015 House—Enrolled on Tuesday, January 20, 2015—HJ 101

- H 6003** Resolution by Representatives Merrick, Burroughs  
**Rules of the House of Representatives, temporary 2015 session.**  
 01/12/2015 House—Introduced  
 01/12/2015 House—Adopted without roll call—HJ 16  
 01/20/2015 House—Enrolled on Tuesday, January 20, 2015—HJ 101
- H 6004** Resolution by Representatives Merrick, Burroughs  
**Rules of House of Representatives, permanent rules of the 2015-2016 biennium.**  
 01/12/2015 House—Introduced—HJ 17  
 01/13/2015 House—Referred to Committee on Rules and Journal—HJ 54  
 01/21/2015 House—Committee Report recommending resolution be adopted by  
 Committee on Rules and Journal—HJ 104  
 01/27/2015 House—Committee of the Whole - Be adopted as amended  
 01/28/2015 House—Final Action - Adopted as amended; Yea: 113 Nay: 6—HJ 130  
 02/05/2015 House—Enrolled on Thursday, February 05, 2015—HJ 174
- H 6005** Resolution by Representatives Highland, Estes  
**Congratulating and commending the 2015 Kansas Teacher of the Year team.**  
 01/13/2015 House—Introduced  
 01/13/2015 House—Adopted without roll call—HJ 55  
 01/20/2015 House—Enrolled on Tuesday, January 20, 2015—HJ 101
- H 6006** Resolution by Representative Finch  
**Commemorating the 150th Anniversary of Ottawa University in Ottawa,  
 Kansas.**  
 02/04/2015 House—Introduced  
 02/04/2015 House—Adopted without roll call—HJ 156  
 02/09/2015 House—Enrolled on Monday, February 09, 2015—HJ 182
- H 6007** Resolution by Representative Kuether  
**Commemorating the 11th Anniversary of National Wear Red Day.**  
 02/04/2015 House—Introduced—HJ 164  
 02/05/2015 House—Adopted without roll call—HJ 171  
 02/10/2015 House—Enrolled on Tuesday, February 10, 2015—HJ 202
- H 6008** Resolution by Representatives Kuether, Alcalá, Corbet, D. Jones, Gonzalez,  
 Hemsley, Highland, F. Patton, Tietze  
**Commemorating the 150th Anniversary of Washburn University in Topeka,  
 Kansas.**  
 02/04/2015 House—Introduced—HJ 165  
 02/06/2015 House—Adopted without roll call—HJ 176  
 02/10/2015 House—Enrolled on Tuesday, February 10, 2015—HJ 202

- H 6009** Resolution by Representatives Boldra, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Bradford, Bridges, Campbell, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Dannebohm, E. Davis, Dierks, Doll, Estes, Ewy, Finch, Finney, Gallagher, Goico, Gonzalez, Grosserode, Hedke, Highland, Hildabrand, Hill, Hineman, Hutchins, Jennings, Kahrs, Kelly, Kleeb, Lusk, Mason, Mast, Merrick, Moxley, O'Brien, Osterman, Pauls, R. Powell, Proehl, Read, Rooker, Ryckman, Ryckman Sr., Schwab, Schwartz, C. Smith, Suellentrop, S. Swanson, Thimesch, Todd, Vickrey, Waymaster, K. Williams, Winn, Wolfe Moore  
**Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.**  
 02/10/2015 House—Introduced—HJ 188  
 02/10/2015 House—Adopted without roll call—HJ 188  
 02/16/2015 House—Enrolled on Monday, February 16, 2015—HJ 238
- H 6010** Resolution by Representatives Sloan, Ballard, Alcala, Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, Dannebohm, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore  
**Honoring former Representative Forrest Swall.**  
 02/10/2015 House—Introduced—HJ 190  
 02/11/2015 House—Adopted without roll call—HJ 207  
 02/16/2015 House—Enrolled on Monday, February 16, 2015—HJ 238
- H 6011** Resolution by Representatives S. Swanson, E. Davis  
**Recognizing and celebrating National Donate Life Blue and Green Day on April 17, 2015 and National Donate Life Month in Kansas during April.**  
 02/10/2015 House—Introduced—HJ 191  
 02/11/2015 House—Adopted without roll call—HJ 207  
 02/16/2015 House—Enrolled on Monday, February 16, 2015—HJ 238
- H 6012** Resolution by Representatives Todd, Merrick  
**Supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to**

**its relationship with Taiwan.**

- 02/10/2015 House—Introduced—HJ 200
- 02/11/2015 House—Referred to Committee of the Whole
- 02/19/2015 House—Committee of the Whole - Be adopted—HJ 263
- 02/20/2015 House—Final Action - Adopted;—HJ 269
- 02/26/2015 House—Enrolled on Thursday, February 26, 2015—HJ 323

- H 6013** Resolution by Representatives Claeys, Dierks, Johnson  
**Honoring Rudolph "Rudy" Camarena for his service to our nation in WWII as one of the heroic men who stormed the beaches at Normandy.**  
 02/18/2015 House—Introduced—HJ 256  
 06/26/2015 House—Died on Calendar
- H 6014** Resolution by Representative Hawkins  
**Recognizing the 44th Wichita Riverfest.**  
 02/20/2015 House—Introduced—HJ 275  
 02/25/2015 House—Adopted without roll call—HJ 287  
 03/05/2015 House—Enrolled on Thursday, March 05, 2015—HJ 330
- H 6015** Resolution by Representatives Hineman, Doll, Jennings  
**Congratulating and commending Garden City Community College for being named College of the Year for 2014 by the Rural Community College Alliance.**  
 03/11/2015 House—Introduced—HJ 340  
 03/11/2015 House—Adopted without roll call—HJ 340  
 03/17/2015 House—Enrolled on Tuesday, March 17, 2015—HJ 394
- H 6016** Resolution by Representative Finney  
**Designating March 11, 2015, as Kansas Lupus Awareness Day.**  
 03/11/2015 House—Introduced—HJ 341  
 03/11/2015 House—Adopted without roll call—HJ 341  
 03/17/2015 House—Enrolled on Tuesday, March 17, 2015—HJ 394
- H 6017** Resolution by Representative Finney  
**Designating March 12, 2015, as Kidney Awareness Day.**  
 03/12/2015 House—Introduced—HJ 347  
 03/12/2015 House—Adopted without roll call—HJ 347  
 03/18/2015 House—Enrolled on Wednesday, March 18, 2015—HJ 421
- H 6018** Resolution by Representative Bridges  
**Commemorating the 90th Anniversary of the Junior League of Wichita.**  
 03/12/2015 House—Introduced—HJ 348  
 03/12/2015 House—Adopted without roll call—HJ 348  
 03/18/2015 House—Enrolled on Wednesday, March 18, 2015—HJ 421
- H 6019** Resolution by Representative Schwab

**Designating March 2015 as Self-Care Month.**

03/13/2015 House—Introduced—HJ 363

03/17/2015 House—Adopted without roll call—HJ 378

03/23/2015 House—Enrolled on Monday, March 23, 2015—HJ 499

- H 6020** Resolution by Representatives Barton, Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore

**Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.**

03/18/2015 House—Introduced—HJ 396

03/18/2015 House—Adopted without roll call—HJ 396

03/25/2015 House—Enrolled on Wednesday, March 25, 2015—HJ 561

- H 6021** Resolution by Representatives Merrick, Burroughs  
**Relating to assignment of seats of the house of representatives.**  
03/23/2015 House—Introduced—HJ 486  
03/23/2015 House—Adopted without roll call—HJ 486  
03/25/2015 House—Enrolled on Wednesday, March 25, 2015—HJ 561

- H 6022** Resolution by Representatives F. Patton, Finney  
**Designating the month of April as Parkinson's Disease Awareness Month.**  
04/02/2015 House—Introduced  
04/02/2015 House—Adopted without roll call—HJ 589  
04/29/2015 House—Enrolled on Friday, April 10, 2015

- H 6023** Resolution by Representatives Houston, Finney  
**Recognizing Storytime Village, Inc. for its work to give young Kansas children the opportunity for a better future through literacy.**  
04/02/2015 House—Introduced  
04/02/2015 House—Adopted without roll call—HJ 590  
04/29/2015 House—Enrolled on Friday, April 10, 2015

- H 6024** Resolution by Representatives Barker, Alcalá, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore
- Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.**
- 05/06/2015 House—Introduced—HJ 707  
 05/13/2015 House—Adopted without roll call—HJ 773  
 05/18/2015 House—Enrolled on Monday, May 18, 2015—HJ 809
- H 6025** Resolution by Representatives E. Davis, Bruchman, Campbell, Lunn, Ryckman, Schwab
- Congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.**
- 05/07/2015 House—Introduced  
 05/07/2015 House—Adopted without roll call—HJ 720  
 05/13/2015 House—Enrolled on Wednesday, May 13, 2015—HJ 775
- H 6026** Resolution by Representatives Boldra, Goico
- Urging U.S. Congress and POTUS to sign the Toxic Exposure Research Act of 2015 into law.**
- 05/18/2015 House—Introduced—HJ 804  
 05/19/2015 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 810  
 05/19/2015 House—Hearing: Wednesday, May 20, 2015, 9:00 AM Room 281-N  
 05/20/2015 House—Committee Report recommending resolution be adopted as amended by Committee on Veterans, Military and Homeland Security—HJ 823  
 05/30/2015 House—Committee of the Whole - Be adopted as amended—HJ 951  
 05/31/2015 House—Final Action - Adopted as amended; Yea: 109 Nay: 2—HJ 955  
 06/02/2015 House—Enrolled on Tuesday, June 02, 2015—HJ 1043
- H 6027** Resolution by Representative O'Brien
- Commending family caregivers in Kansas for their service and commitment to**

**improving lives.**

05/18/2015 House—Introduced—HJ 805

06/26/2015 House—Died on Calendar

- H 6028** Resolution by Representatives Sloan, Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, E. Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Peck, Phillips, R. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore

**Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.**

05/21/2015 House—Introduced—HJ 903

05/26/2015 House—Adopted without roll call—HJ 906

05/28/2015 House—Enrolled on Thursday, May 28, 2015—HJ 914



## EXECUTIVE REORGANIZATION ORDERS

- ERO 43** Executive Reorganization Order by Governor Brownback  
**Transferring Medicaid eligibility processing duties from the Department for Children and Families to the Kansas Department of Health and Environment and transferring foster care licensing responsibilities from the Kansas Department of Health and Environment to the Department for Children and Families.**
- 01/20/2015 House—Received  
01/20/2015 House—Introduced—HJ 77  
01/21/2015 House—Referred to House Committee on Health and Human Services—HJ 104  
03/21/2015 House—Time for legislative action expired; Effective date 7/1/2015

**FINAL**  
**HOUSE CALENDAR**  
**No. 89**

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**JANUARY 12, 2015 THROUGH JUNE 26, 2015**

**NUMERICAL SCHEDULE OF HOUSE BILLS - 2015**

2001 Taxation	2040 Stricken, Rule 1507	2073 Appropriations
2002 Judiciary	2041 Health & Hum Svcs	S Sub
2003 Signed, Ef Dt. 7/1/15		2074 Cal & Print., Mat Chgd
2004 Stricken, Rule 1507	S Sub	2075 General Orders
2005 Signed, Ef Dt. 6/5/15	2042 Signed, Ef Dt. 7/1/15	2076 Taxation
2006 Signed, Ef Dt. 7/1/15	S Sub	2077 Taxation
Sub	2043 Signed, Ef Dt.	2078 Education
2007 General Orders	5/21/15	2079 Health & Hum Svcs
2008 Sen Education	2044 Signed, Ef Dt.	2080 Judiciary
2009 Signed, Ef Dt. 7/1/15	5/14/15	2081 Judiciary
2010 Signed, Ef Dt. 7/1/15	2045 Health & Hum Svcs	2082 Stricken, Rule 1507
2011 Health & Hum Svcs	2046 Health & Hum Svcs	2083 Stricken, Rule 1507
2012 Appropriations	2047 Health & Hum Svcs	2084 Util & Telecoms
2013 Signed, Ef Dt. 7/1/15	2048 Signed, Ef Dt. 7/1/15	2085 Signed, Ef Dt. 7/1/15
2014 Ag & Nat Res Bdgt	2049 Sen Corr & Juv Jus	2086 Taxation
2015 Appropriations	2050 Stricken, Rule 1507	2087 Sen Fed & St Affairs
2016 Stricken, Rule 1507	2051 Signed, Ef Dt. 5/21/15	2088 Sen Fed & St Affairs
2017 Stricken, Rule 1507	2052 Stricken, Rule 1507	2089 Sen Fed & St Affairs
2018 Appropriations	2053 Signed, Ef Dt. 4/2/15	S Sub
2019 Taxation	Sub	2090 Signed, Ef Dt.
2020 Health & Hum Svcs	2054 General Orders	5/14/15
2021 Insurance	2055 Signed, Ef Dt. 7/1/15	2091 Sen Transportation
2022 Stricken, Rule 1507	S Sub	2092 Transportation
2023 Signed, Ef Dt. 7/1/15	2056 Sen General Orders	2093 Stricken, Rule 1507
2024 Appropriations	2057 Judiciary	S Sub
2025 Signed, Ef Dt. 7/1/15	2058 Appropriations	2094 Signed, Ef Dt. 7/1/15
2026 Insurance	2059 Sen Natural Res	S Sub
2027 Education	2060 Ag & Nat Res	2095 Signed, Ef Dt. 7/1/15
2028 Education	2061 Signed, Ef Dt. 7/1/15	S Sub
2029 Sen Agriculture	2062 Judiciary	2096 Sen Ways & Means
2030 Stricken, Rule 1507	2063 Sen Natural Res	2097 Signed, Ef Dt. 5/21/15
2031 Appropriations	2064 Signed, Ef Dt. 7/1/15	2098 Stricken, Rule 1507
2032 Stricken, Rule 1507	2065 Sen Fin Inst & Ins	2099 Education
2033 Appropriations	2066 Signed, Ef Dt. 7/1/15	2100 Children & Seniors
2034 Stricken, Rule 1507	2067 Insurance	S Sub
2035 Education	2068 Transportation	2101 Signed, Ef Dt. 4/23/15
2036 Energy & Environ	2069 Stricken, Rule 1507	2102 Judiciary
2037 Energy & Environ	2070 General Orders	2103 Signed, Ef Dt. 7/1/15
2038 Appropriations	2071 General Orders	2104 Signed, Ef Dt. 7/1/15
2039 Judiciary	2072 Appropriations	2105 Judiciary

2106 Signed, Ef Dt. 7/1/15	2150 Health & Hum Svcs	2193 Signed, Ef Dt. 7/1/15
2107 Stricken, Rule 1507	Sub	2194 Transportation
2108 Stricken, Rule 1507	2151 General Orders	2195 Transportation
S Sub	2152 Appropriations	2196 General Orders
2109 Signed, Ef Dt. 7/1/15	2153 Appropriations	2197 Sen Local Gov
2110 Judiciary	2154 Signed, Ef Dt. 7/1/15	2198 Stricken, Rule 1507
2111 Signed, Ef Dt. 7/1/15	S Sub	2199 Appropriations
2112 Sen Judiciary	2155 Signed, Ef Dt. 7/1/15	
2113 Judiciary	2156 Sen Natural Res	Sub
2114 Judiciary	2157 Transportation	2200 General Orders
S Sub Sub	2158 Judiciary	2201 Children & Seniors
2115 Sen General Orders	Sub	2202 Health & Hum Svcs
2116 Ag & Nat Res	2159 Signed, Ef Dt. 7/1/15	2203 Education
2117 Ag & Nat Res	2160 Judiciary	2204 Insurance
2118 Health & Hum Svcs	2161 Judiciary	2205 Appropriations
2119 Stricken, Rule 1507	2162 Stricken, Rule 1507	2206 Judiciary
2120 Stricken, Rule 1507	2163 Sen Local Gov	2207 Appropriations
2121 General Orders	2164 Sen Local Gov	2208 General Orders
2122 Health & Hum Svcs	2165 Killed	2209 General Orders
2123 Health & Hum Svcs	2166 Ag & Nat Res	2210 Elections
2124 Signed, Ef Dt. 6/4/15	2167 General Orders	2211 Elections
2125 Sen Fed & St Affairs	2168 General Orders	2212 Stricken, Rule 1507
2126 Signed, Ef Dt. 7/1/15	2169 Taxation	2213 General Orders
2127 Taxation	S Sub Sub	2214 Stricken, Rule 1507
2128 Taxation	2170 Signed, Ef Dt. 6/4/15	2215 General Orders
2129 Appropriations	2171 Comm, Lbr & Eco Dev	2216 Signed, Ef Dt. 7/1/15
2130 Judiciary	2172 Health & Hum Svcs	2217 Corr & Juv Jus
2131 Sen Utilities	2173 Elections	2218 Stricken, Rule 1507
2132 Energy & Environ	2174 General Orders	2219 Util & Telecoms
2133 Appropriations	2175 Ag & Nat Res	2220 Education
2134 General Orders	2176 Insurance	2221 Stricken, Rule 1507
S Sub	S Sub	2222 Judiciary
2135 Signed, Ef Dt. 6/18/15	2177 Conf Comm	2223 Signed, Ef Dt. 7/1/15
2136 Taxation	2178 Taxation	Sub
2137 Corr & Juv Jus	2179 Taxation	2224 Signed, Ef Dt. 7/1/15
2138 Corr & Juv Jus	2180 Transportation	S Sub
2139 Education	2181 Transportation	2225 Signed, Ef Dt. 7/1/15
2140 Corr & Juv Jus	2182 General Orders	2226 Health & Hum Svcs
2141 Corr & Juv Jus	2183 Signed, Ef Dt. 7/1/15	2227 Ag & Nat Res
2142 Signed, Ef Dt 7/1/15	2184 Stricken, Rule 1507	S Sub
2143 Elections	2185 Stricken, Rule 1507	2228 Signed, Ef Dt. 6/11/15
2144 Elections	2186 Education	2229 Stricken, Rule 1507
2145 Elections	2187 Fed & St Affairs	2230 Health & Hum Svcs
2146 Elections	2188 Transportation	2231 Signed, Ef Dt. 7/1/15
2147 Judiciary	2189 Fed & St Affairs	2232 Education
2148 Stricken, Rule 1507	2190 Fed & St Affairs	2233 Signed, Ef Dt. 6/4/15
S Sub	2191 Sen Fed & St Affairs	2234 Education
2149 Signed, Ef Dt. 7/1/15	2192 Signed, Ef Dt. 7/1/15	2235 Local Gov

2236 Taxation	2282 Appropriations	2329 Stricken, Rule 1507 Sub
2237 Comm, Lbr & Eco Dev	2283 Taxation	2330 General Orders
2238 Stricken, Rule 1507	2284 Taxation	2331 Signed, Ef Dt. 7/1/15
2239 Appropriations	2285 Vision 2020	2332 Fed & St Affairs
2240 Signed, EfDt. 5/21/15	2286 Insurance	2333 Judiciary
2241 Appropriations	2287 Pensions & Benefits	2334 Vet Miltry Hmlnd Sec
2242 Transportation	2288 Pensions & Benefits	2335 Corr & Juv Jus
2243 Appropriations	2289 Judiciary	2336 Signed, Ef Dt. 4/16/15
2244 Stricken, Rule 1507	2290 Judiciary	2337 Stricken, Rule 1507
2245 Ag & Nat Res	2291 Fed & St Affairs	2338 Corr & Juv Jus
2246 Signed, Ef Dt. 7/1/15	2292 Education	2339 Judiciary
2247 Comm, Lbr & Eco Dev	2293 Ag & Nat Res	2340 Elections
2248 Taxation	2294 Fed & St Affairs	2341 Sen Natural Res
2249 Insurance	2295 Fed & St Affairs	2342 Judiciary
2250 Pensions & Benefits	2296 General Orders	2343 Judiciary
2251 Elections	2297 Transportation	2344 Judiciary
2252 Transportation	2298 Taxation	2345 Appropriations
2253 General Orders	2299 Comm, Lbr & Eco Dev	2346 Judiciary
2254 Signed, Ef Dt. 7/1/15	2300 Judiciary	2347 Corr & Juv Jus
2255 Transportation	2301 Judiciary	2348 Energy & Environ
2256 Signed, Ef Dt. 7/1/15	2302 Judiciary	2349 Energy & Environ
2257 Education	2303 Ag & Nat Res	2350 Energy & Environ
S Sub	2304 Ag & Nat Res	2351 Ag & Nat Res
2258 Signed, Ef Dt. 7/1/15	2305 General Orders	2352 Signed, Ef Dt. 7/1/15 S Sub
2259 Signed, Ef Dt. 7/1/15	2306 Taxation	2353 Signed, Ef Dt. 6/11/15
2260 Sen Fin Inst & Ins	2307 Taxation	2354 Taxation
2261 Taxation	2308 Taxation	2355 Comm, Lbr & Eco Dev
2262 Education	2309 Taxation	2356 Comm, Lbr & Eco Dev
2263 Taxation	2310 Ag & Nat Res	2357 Comm, Lbr & Eco Dev
2264 Taxation	2311 Fed & St Affairs	2358 Appropriations
2265 Comm, Lbr & Eco Dev	2312 Fed & St Affairs	2359 Corr & Juv Jus
2266 Education	2313 Corr & Juv Jus	2360 Pensions & Benefits
2267 Signed, Ef Dt. 7/1/15	2314 Comm, Lbr & Eco Dev	2361 Taxation Sub
2268 Conf Comm	2315 Elections	2362 General Orders
2269 Children & Seniors	2316 Comm, Lbr & Eco Dev	2363 Judiciary
2270 Health & Hum Svcs	2317 Taxation	2364 Signed, Ef Dt. 6/4/15
2271 Corr & Juv Jus	2318 Education	2365 Sen Ways & Means
2272 Judiciary	2319 Taxation	2366 Appropriations
2273 Local Gov	2320 Fed & St Affairs	2367 Taxation
2274 Elections	2321 Appropriations	2368 Fed & St Affairs
2275 Signed, EfDt. 4/16/15	2322 Fed & St Affairs	2369 Health & Hum Svcs Sub
2276 Judiciary	2323 Judiciary	2370 General Orders
2277 Judiciary	2324 Health & Hum Svcs	2371 General Orders
2278 Stricken, Rule 1507	2325 Comm, Lbr & Eco Dev S Sub	2372 Taxation
2279 Ag & Nat Res	2326 Killed by Senate	
2280 Taxation	2327 Ag & Nat Res	
S Sub	2328 Taxation	
2281 Signed, Ef Dt. 7/1/15		

2373 Energy & Environ	2393 Education	2414 Energy & Environ
2374 Financial Institutions	2394 General Orders	2415 Taxation
2375 Fed & St Affairs	2395 Signed, Ef Dt. 7/1/15	2416 Cal & Print
2376 General Orders	2396 Taxation	2417 Fed & St Affairs
2377 Taxation	2397 Fed & St Affairs	2418 Comm, Lbr & Eco Dev
2378 Education	2398 General Orders	2419 Taxation
2379 Taxation	2399 Taxation	2420 Taxation
2380 Fed & St Affairs	2400 Taxation	2421 Taxation
2381 General Orders	2401 Taxation	2422 Taxation
2382 Sen Corr & Juv Jus	2402 Taxation	2423 Taxation
Sub	2403 Appropriations	2424 Taxation
2383 General Orders	2404 Taxation	2425 Taxation
2384 Judiciary	2405 Taxation	2426 Comm, Lbr & Eco Dev
2385 Fed & St Affairs	2406 Taxation	2427 Taxation
2386 Fed & St Affairs	2407 Fed & St Affairs	2428 Taxation
2387 Sen Fed & St Affairs	2408 Taxation	2429 Taxation
2388 Taxation	2409 Taxation	2430 General Orders
2389 Taxation	2410 Taxation	2431 Taxation
2390 Transportation	2411 Judiciary	2432 Taxation
2391 Signed, Ef Dt. 7/1/15	2412 Appropriations	2433 Taxation
2392 Taxation	2413 Fed & St Affairs	2434 Taxation
		2435 Taxation

### NUMERICAL SCHEDULE OF HOUSE CONCURRENT RESOLUTIONS - 2015

5001 Adopted, Enrolled	5008 Fed & St Affairs	5015 Judiciary
5002 Adopted, Enrolled	5009 Judiciary	5016 Adopted, Enrolled
5003 Judiciary	5010 General Orders	5017 Adopted, Enrolled
5004 General Orders	5011 Education	5018 Fed & St Affairs
5005 General Orders	5012 Judiciary	5019 Adopted, Enrolled
5006 Judiciary	5013 Judiciary	
5007 Taxation	5014 Fed & St Affairs	

### NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS - 2015

6001 Adopted, Enrolled	6011 Adopted, Enrolled	6021 Adopted, Enrolled
6002 Adopted, Enrolled	6012 Adopted, Enrolled	6022 Adopted, Enrolled
6003 Adopted, Enrolled	6013 Died, Calendar	6023 Adopted, Enrolled
6004 Adopted, Enrolled	6014 Adopted, Enrolled	6024 Adopted, Enrolled
6005 Adopted, Enrolled	6015 Adopted, Enrolled	6025 Adopted, Enrolled
6006 Adopted, Enrolled	6016 Adopted, Enrolled	6026 Adopted, Enrolled
6007 Adopted, Enrolled	6017 Adopted, Enrolled	6027 Died, Calendar
6008 Adopted, Enrolled	6018 Adopted, Enrolled	6028 Adopted, Enrolled
6009 Adopted, Enrolled	6019 Adopted, Enrolled	
6010 Adopted, Enrolled	6020 Adopted, Enrolled	

**NUMERICAL SCHEDULE OF SENATE BILLS - 2015**

H Sub	62 Fed & St Affairs	161 Appropriations
4 P Am, Sen Con	63 Taxation	168 Pensions & Benefits
6 Fed & St Affairs	64 Ag & Nat Res	Sub
H Sub	70 Stricken, Rule 1507	171 Taxation
7 P Am, Sen Con	72 Stricken, Rule 1507	175 General Orders
8 Passed	73 Passed	180 Health & Hum Svcs
H Sub	76 Passed	181 Health & Hum Svcs
11 P Am, Sen Con	77 Stricken, Rule 1507	183 Stricken, Rule 1507
12 CCR Adopted	86 Judiciary	H Sub
13 Passed	Sub	184 Stricken, Rule 1507
14 Passed	91 CCR Adopted	188 General Orders
17 Judiciary	93 Stricken, Rule 1507	189 CCR Adopted
18 Judiciary	95 Passed	190 Taxation
21 Passed	97 Ag & Nat Res	193 Education
23 Taxation	98 Judiciary	197 Judiciary
24 Fed & St Affairs	101 CCR Adopted	206 P Am, Sen Con
28 Stricken, Rule 1507	105 Passed	214 Stricken, Rule 1507
H Sub	106 Comm, Lbr & Eco Dev	215 Taxation
29 General Orders	108 P Am, Sen Con	Sub
31 Taxation	109 P Am, Sen Con	216 Corr & Juv Jus
34 Passed	112 CCR Adopted	224 Fed & St Affairs
H Sub	113 CCR Adopted	227 Ag & Nat Res
36 P Am, Sen Con	H Sub	228 CCR Adopted
Sub	117 Veto overridden	239 Elections
38 P Am, Sen Con	120 Passed	240 P Am, Sen Con
42 Elections	121 Health & Hum Svcs	241 Appropriations
43 Passed	124 P Am, Sen Con	244 Local Gov
44 Judiciary	125 Ag & Nat Res	245 Transportation
45 P Am, Sen Con	126 Stricken, Rule 1507	246 Energy & Environ
46 Passed	127 CCR Adopted	247 General Orders
47 Passed	128 Judiciary	248 Appropriations
48 Taxation	131 General Orders	249 Appropriations
51 Stricken, Rule 1507	133 Judiciary	250 Appropriations
52 CCR Adopted	136 Education	252 Passed
H Sub	142 Stricken, Rule 1507	255 Judiciary
54 Stricken, Rule 1507	149 Taxation	270 CCR Adopted
55 Financial Institutions	150 Passed	271 Transportation
56 Judiciary	154 CCR Adopted	274 Transportation
57 Judiciary	Sub	276 Passed
58 Judiciary	155 Insurance	278 General Orders
59 General Orders	156 P Am, Sen Con	280 Taxation
Sub	157 Stricken, Rule 1507	288 Transportation
60 Education	159 Judiciary	290 Passed

**NUMERICAL SCHEDULE OF SENATE CONCURRENT RESOLUTIONS - 2015**

1601 Adopted

1604 Adopted

1607 Adopted

**LEGEND**

Adptd	Adopted
Ag & Nat Res	Agriculture & Natural Resources
Ag & Nat Res Bdgt	Agriculture & Natural Resources Budget
Cal	Calendar
Cal & Print	Calendar and Printing
Comm, Lbr & Eco Dev	Commerce Labor and Economic Development
Comm Rp	Committee Report
Con	Concur
Conf Comm	Conference Committee
CCR	Conference Committee Report
Ef Dt	Effective Date
Energy & Environ	Energy & Environment
Fed & St Affairs	Federal and State Affairs
Fin Inst & Ins	Financial Institutions & Insurance
Health & Hum Svcs	Health and Human Services
H	House
Local Gov	Local Government
Mat Chgd	Ruled Materially Changed by originating chamber
P Am	Passed as amended
Sen	Senate
Sub	Substitute
Util & Telecoms	Utilities and Telecommunications

**SUMMARY OF ACTIONS ON  
HOUSE BILLS, CONCURRENT RESOLUTIONS AND RESOLUTIONS - 2015**

**HOUSE BILLS**

House bills introduced in the 2015 session.....	435
House bills passed both houses and presented to Governor. ....	64
House bills signed by Governor.....	64
House bills becoming law without Governor's signature. 0	
House bills with line item vetoes.....	0
House bills vetoed by Governor .....	0
House bills killed in House.....	35
House bills killed in Senate.....	1
TOTAL.....	100
House bills in House Committees.....	276
House bills in Senate Committees.....	24
House bills in conference committees.....	2
House bills on House Calendar.....	31
House bills on Senate Calendar.....	2
House bills carried over to 2016 session.....	335
TOTAL.....	435

**HOUSE CONCURRENT RESOLUTIONS**

House concurrent resolutions introduced in 2015 session.....	19
House concurrent resolutions adopted by both houses.....	5
House concurrent resolutions killed in House.....	0
House concurrent resolutions killed in Senate.....	0
House concurrent resolutions in House Committees.....	11
House concurrent resolutions on House Calendar.....	3
House concurrent resolutions in Senate Committees.....	0
House concurrent resolutions carried over to 2016 Session. ....	14
TOTAL.....	19

**HOUSE RESOLUTIONS**

House resolutions introduced in 2015 session.....	28
House resolutions adopted.....	26
House resolutions killed.....	0
House resolutions dying in committee.....	0
House resolutions dying on Calendar.....	2
TOTAL.....	28



## **APPOINTMENTS, GUESTS AND COMMUNICATIONS FROM STATE OFFICERS**

### **APPOINTMENTS**

- Of Susan Kannarr, chief clerk, p. 7.
- Of Foster Chisholm, sergeant-at-arms, p. 7.
- Committee assignments, pp. 11-13.
- Of Rev. Eunice Brubaker, chaplain, p. 61.
- Temporary committee assignment changes, p. 101.
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- Temporary committee assignment changes, p. 376.
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- Temporary committee assignment changes, p. 482.
- Temporary committee assignment changes, p. 497.
- Speaker Merrick, pursuant to House Rule 4902, appointed a Select Investigative Committee in response to the complaint filed with House Clerk Susan Kannarr on March 23, 2015, p. 573.
- Temporary committee assignment changes, p. 658.
- Temporary committee assignment changes, p. 663.
- Temporary committee assignment changes, p. 700.
- Temporary committee assignment changes, p. 717.
- Temporary committee assignment changes, p. 765.
- Temporary committee assignment changes, p. 768.
- Temporary committee assignment changes, p. 777.

### **SPECIAL GUESTS**

Speaker Merrick introduced Dr. Douglas Gruenbacher, President of the Kansas Academy of Family Physicians. Dr. Gruenbacher of Quinter, Kansas is the 67<sup>th</sup> president of the Kansas Academy of Family Physicians, the group that sponsors the Doctor of the Day program, providing daily assistance for health concerns to those

serving the Statehouse during the session, pp. 51-52.

Rep. Highland introduced the 2015 Kansas Teacher of the Year, Shannon Ralph, Dodge City USD 443, and the regional finalists Beau T. Bragg, Bonner Springs-Edwardsville USD 204; Abby M. Hedrick, Paola USD 368; Jennifer Hofferber, Liberal USD 480; Lisa Holt, Winfield USD 465; Jamie McDaniel, Paola USD 368; Dennis Munk, Haysville USD 261; and Kimberly Nelson, Bonner Springs-Edwardsville USD 204, pp. 55-56.

Rep. Lunn introduced family members and friends of 2<sup>nd</sup> Lt. Justin Sisson, pp. 118-120.

Rep. Victors introduced tribal leaders and council members from the Prairie Band Potawatomi Nation, Kickapoo Nation, Sac and Fox Nation, as well as the Iowa tribe of Kansas and Nebraska. She also thanked the students from Haskell Indian Nations University who performed “The Lord’s Prayer” in native sign language, pp. 154-155.

Rep. Seiwert introduced Micayla Gutierrez, seventh grade student at Eisenhower Middle School in Goddard who won the “If I were Mayor” contest sponsored by the League of Kansas Municipalities. With her were her parents and several members of her school staff, p. 155.

In recognition of **HR 6006**, Rep. Finch introduced Kevin Eichner, President of Ottawa University, Wyndee Lee and Lisa Johnson, pp. 157-158.

Rep. Anthimedes introduced members of the Wichita Police Department in recognition of its implementation of a Homeless Outreach Team (HOT) pilot program, pp. 168-169.

Rep. Schroeder introduced Miss Rodeo Kansas Abbey Pomeroy, pp. 203-204.

Rep. Todd introduced Director-General J.C. Yang, from the Taiwan Consulate in Kansas City, p. 204.

Rep. Highland introduced the Rossville High School Football team, 3A Champions in 2014, pp. 213-214.

Rep. Proehl introduced the Phi Theta Kappa All State Academic Team, pp. 214-215.

Rep. Kelly introduced the Independence High School Girls 4-A State Championship Tennis Team and their coaches, pp. 252-253.

Rep. Peck introduced the Caney Valley High School Girls Golf Team, the 2014 Golf State Champions in class 3A–2A–1A, p. 259.

Rep. Wilson introduced Kansas Regional Afterschool Ambassadors and a selection of their students representing the French Middle School STEAM afterschool program, Robinson Middle School SWIM afterschool program and Boys & Girls Club of Topeka afterschool programs, pp. 259-260.

Rep. Schwartz introduced members of the Kansas FFA Association, pp. 277-278.

Rep. Carpenter introduced Leadership Butler, p. 287.

Rep. Schwartz introduced Dee Likes, CEO of the Kansas Livestock Association and Steve Baccus, President of the Kansas Farm Bureau, p. 333.

Rep. Doll introduced Dianna Deniston of Garden City, USD #457, the Janet Sims Teacher of the Year by the Kansas Foundation for Agriculture in the Classroom, p. 334.

Rep. Hill introduced winners of the Kansas Small Business Development Center’s emerging and existing 2015 businesses of the year, p. 337.

In recognition of **HR 6015**, Rep. Jennings introduced Dr. Herbert Swender and other guests associated with Garden City Community College, p. 340.

In recognition of **HR 6016**, Rep. Finney introduced Earl Mundy and Cecilia Meitzner of the Kansas chapter of the Lupus Foundation of America, pp. 341-342.

Rep. Swanson introduced representatives of the 2014 National Blue Ribbon Schools, p. 346.

In recognition of **HR 6020**, Rep. Barton recognized the clergy members who were present, pp. 396-397.

Rep. Winn introduced members of the Kansas chapter of Delta Sigma Theta Sorority, p. 423.

Rep. Hibbard introduced the 2015 Class 2A State Scholars Bowl Champions from Yates Center, p. 484.

Rep. Rooker introduced the Boys 6A High School State Football Champions, the Shawnee Mission East Lancers and the coaches, pp. 484-485.

Rep. Swanson introduced Robert Moran, coach of the Clay Center High School Tigers volleyball team, the 2014 4A division 2 champions, and players, p. 485.

Rep. Whitmer introduced representatives of Oatville Elementary School, Haysville, in celebration of their having been recognized as a 2014 Blue Ribbon School, pp. 562-563.

Rep. Lewis introduced members of the Boys 2A State Basketball Championship team and coaches, pp. 563-564.

Rep. Alcalá introduced Gabriel J. Alcalá, Topeka, to the members of the body.

Colonel Alcalá was recognized for his awards, accomplishments, service and retirement from the United States Air Force, p. 568.

Rep. Hineman introduced KSHSAA Class 1A State Championship Hoxie High School women's basketball team and coaches, pp. 605-606.

Rep. Becker introduced the Buhler Special Olympics basketball team and volunteer coaches, p. 606.

Rep. Whipple introduced the Lady Titans, the KSHSAA Class 6A State Championship women's basketball team, p. 607.

Rep. Barton introduced the Leavenworth Pioneers women's basketball team, the KSHSAA Class 5A State Champions, p. 633.

Rep. Rhoades introduced Campus High School girls' bowling team, 6A Champions, p. 634.

Rep. Moxley introduced Wendy Webb, Blue Valley's PAT Coordinator, pp. 606-607.

Rep. Dove introduced Colonel J.P. Silverstein, p. 766.

In recognition of **HR 6024**, Rep. Barker introduced representatives of the Eisenhower Foundation and other citizens of Abilene, p. 774

Rep. Bradford introduced John Reichley, columnist from the "Leavenworth Times," p. 777.

## **COMMUNICATIONS FROM STATE OFFICERS**

Office of Chief Clerk has received the following communications during the interim since adjournment of the 2014 Regular Session of the Legislature:

From Randy Peterson, Chair, Health Care Access Improvement Panel, and Kari Bruffet, Director of DHCF, the 2014 Report.

From Alan D. Conroy, Executive Director, Kansas Public Employee Retirement System, the required annual report regarding KPERS investments in Sudan.

From Derek Schmidt, Attorney General, the 2014 annual report of the Kansas State

Child Death Review Board.

From Brad Burke, Deputy Secretary and Chief Attorney, in accordance with Senate Substitute for House Bill No. 2231, regarding what will be required in order for Kansas to develop and operate a Kansas job safety and health programs “State plan,” which will be subject to approval and monitoring by OSHA, in accordance with Section 18 of the Occupational Safety and Health Act of 1970.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, the audited financial statements for the fiscal year ended June 30, 2014.

From Susan Mosier, MD, the Interim Secretary and State Health Officer, Kansas Department of Health and Environment, pursuant to K.S.A. 65-176, the results of 2014 KDHE inspections and recommendations for State Children's Institutions.

From Ernest E. Garcia, Superintendent, Kansas Highway Patrol, pursuant to K.S.A. 60-4117, the annual report of the State Forfeiture Fund.

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System's Comprehensive Annual Financial Report, available at [www.kpers.org/annualreport2014.pdf](http://www.kpers.org/annualreport2014.pdf).

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

From Jim Echols, Chair, Kansas Advisory Group on Juvenile Justice and Delinquency Prevention (KAG), the 2014 Annual Report.

From Bob Page, President and Chief Executive, The University of Kansas Hospital, in accordance with K.S.A. 76-3312(p), the 2014 Annual Report.

From Gary Harshberger, Chair, Kansas Water Authority, the 2015 Annual Report.

From the Office of Governor Sam Brownback:

Executive Directive No. 14-452, Authorizing Personnel Transactions.

Executive Directive No. 14-453, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-454, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-455, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-456, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-457, Authorizing Personnel Transactions.

Executive Directive No. 14-458, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-459, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-460, Authorizing Expenditure of Federal Funds.

Executive Directive No. 14-461, Authorizing Expenditure of Federal Funds.

Executive Order No. 14-03, declaring a state of emergency for Bourbon,

Cherokee, and Linn counties.

Executive Order No. 14-04, a Drought Watch or Warning, replacing Executive Order No. 13-02.

Executive Order No. 14-05, for Governor's Reward.

Executive Order No. 14-06, establishing a Mobile Communication Device policy for Executive Branch Agencies.

Also, from Sharon Wenger, Principal Fiscal Analyst, Kansas Legislative Research Department, final report of the K-12 Student Performance and Efficiency Commission,

which can be found at [www.kslegislature.org/klrd/](http://www.kslegislature.org/klrd/).

From Kelly Freed, Kansas Water Office, 2015 Kansas Water Authority Annual Report to the Governor and Legislature, which can be found at [http://www.kwo.org/reports\\_publications/Reports/Rpt\\_2015 KWA\\_Rpt\\_Governor\\_Legislature.pdf](http://www.kwo.org/reports_publications/Reports/Rpt_2015_KWA_Rpt_Governor_Legislature.pdf).

From Kansas Department of Wildlife, Parks and Tourism, pursuant to KSA 32-844, Land Acquisition and Lease Renewal Report by the Kansas Department of Wildlife and Parks.

From Martha Gabehart, Executive Director, Kansas Commission on Disability Concerns, Employment First Oversight Commission's 2015 Report with Recommendations.

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, status of the KBI State Forfeiture Fund.

From Brad Burke, Deputy Secretary and Chief Attorney, Kansas Department of Labor, report regarding a Kansas job safety and health programs state plan.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), Annual Report of the Pooled Money Investment Board for Fiscal Year 2014, pp. 14-15.

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 75-723, Abuse, Neglect and Exploitation Unit (ANE), Annual Report July 1, 2013-June 30, 2014, p. 54.

From Kris Kobach, Secretary of State of the State of Kansas, certification that J.R. Claeys, Sixty-Ninth District, was elected to the Kansas House of Representatives on November 4, 2014 for a two-year term and was administered the following oath of office on January 13, 2015, p. 58.

From Ray Roberts, Secretary of Corrections, pursuant to K.S.A. 75-52,146, Kansas Department of Corrections, FY 2014 Annual Report, p. 60.

From Earnest A. Lehman, Chair, Kansas Electric Transmission Authority, 2014 Annual Report to the Governor and the Legislature, p. 60.

From Gary Harshberger, Chair, Kansas Water Authority, 2015 Annual Report to the Governor and Legislature, p. 63.

From Dale Dennis, Deputy Commissioner of Education, Division of Fiscal and Administrative Services, Kansas State Department of Education, Tax Credit for Low Income Students Scholarship Program, Legislative Report for January 2015, p. 63.

From Debra L. Billingsley, Executive Secretary, Kansas Board of Pharmacy, pursuant to K.S.A. 65-4102(b), Report on Controlled Substances for Scheduling, Rescheduling or Deletion, p. 64.

From Lana Gordon, Secretary of Labor, Kansas Department of Labor, 2014 Annual Report, p. 82.

From the Kansas Corporation Commission, Abandoned Oil and Gas Well Status Report and the Remediation Site Status Report for 2015, p. 82.

From Brianna Landon, Policy Analyst and Legislative Liaison, Kansas Department of Health and Environment, KDHE Division of Environment Reports. They are also available at: <http://www.kdheks.gov/testimony/index.htm>, p. 82.

From Candace LeDuc, Communications Coordinator, State Library of Kansas, Annual Report for 2014. It is available online at <http://kslib.info/DocumentCenter/Home/View/4073>, p. 113.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, KHRC Annual Report for 2014, p. 123..

From Mike Michael, Director, State Employee Health Plan, Kansas Department of Health and Environment, in compliance with K.S.A. 75-6509, Kansas State Employees Health Care Commission 2014 Annual Report, p. 135.

From Nadira Patrick, Manager, Job Creation Fund Program, Kansas Department of Commerce, as required by K.S.A. 74-50,224, Job Creation Fund Program 2014 Annual Report, p. 135.

From Joseph House, Executive Director, Kansas Board of Emergency Medical Services, report on Revolving and Assistance Fund Grant Program, 2015 Legislative Session, p. 135.

From Martha Gabehart, Executive Director, Kansas Commission on Disability Concerns, 2014 Annual Report, p. 135.

From Ray Roberts, Secretary of Corrections, Kansas Department of Corrections, Cost Study of Youth Residential Centers for Juvenile Offenders, p. 140.

From Tim Shallenburger, President, Kansas Development Finance Authority, Annual Financial Report for years ended June 30, 2014 and 2013. The Report is also available on the KDFA website: [www.kdfa.org](http://www.kdfa.org), p. 140.

From Shari Feist Albrecht, Chair, Jeff McClanahan, Director, Utilities Division and Mike Hoeme, Director, Transportation Division, Kansas Corporation Commission, pursuant to the provisions of K.S.A. 66-117b, 2015 Utilities and Common Carriers Annual Report, p. 140.

From Shari Feist Albrecht, Chair, and Jeff McClanahan, Director, Utilities Division, Kansas Corporation Commission, pursuant to K.S.A. 66-1282, Report on Electric Supply and Demand, p. 140.

From Shari Feist Albrecht, Chair, and Jeff McClanahan, Director, Utilities, pursuant to K.S.A. 2013 Supp. 66-2005, 2015 Annual Price Deregulation Report, p. 140.

From Ken Selzer, CPA, Commissioner of Insurance, Kansas Insurance Department, pursuant to K.S.A. 44-566(a), Kansas Workers Compensation Fund, 2014 Fiscal Year End Report, p. 143.

From Ron Estes, Kansas State Treasurer, 2014 Annual Report for the Kansas State Treasurer's Office, p. 143.

From Honorable Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program, 2014 Annual Report, p. 143.

From Pat George, Secretary of Commerce, in accordance with K.S.A. 12-17,169(c), STAR Bond Annual Report – 2014, p. 150.

From Ken Selzer, CPA, Commissioner of Insurance, pursuant to K.S.A. 40-108, 2014 Annual Report of the Kansas Insurance Department, p. 156.

From Barbara J. Hickert, Kansas Long-Term Care Ombudsman, Reaching out for Quality Care, Annual Report for Fiscal Year 2014, p. 188.

From Jon A. Roberts, Chair, Central Interstate Low-Level Radioactive Waste Commission, in accordance with Article IV.M.2, Annual Report for fiscal year ending June 20, 2014, p. 188.

From Susan Mosier, MD, Secretary and State Health Officer, pursuant to K.S.A. 65-1,159a, Senator Stan Clark Pregnancy Maintenance Initiative, Report to the 2015 Kansas Legislature, p. 216.

From Doug Jorgensen, Fire Marshal, Office of the State Fire Marshal, 2013 Kansas Fire Incident Reporting System Annual Report, p. 216.

From Barbara J. Hickert, State Long-Term Care Ombudsman, per K.S.A. 75-7306, Annual Report for State Fiscal year 2015. This report can also be found at [www.kansasombudsmanksgov.com](http://www.kansasombudsmanksgov.com), p. 254.

From Randy Peterson, Chair, and Michael Randol, Director of DHCF, Kansas Department of Health and Environment, Division of Health Care Finance, 2015 Report from the Health Care Access Improvement Panel, p. 334.

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 74-7316, fiscal year 2014 Annual Report of the Crime Victims Compensation Board, p. 363.

From David N. Harper, Director, Division of Property Valuation, pursuant to K.S.A. 75-3048, 2014 Statistical Report of Property Assessment and Taxation, p. 477.

From David N. Harper, Director, Division of Property Valuation, pursuant to K.S.A. 79-1490, 2014 Preliminary Real Estate Appraisal/Sales Ratio Study, p. 477.

From Kari M. Bruffett, Secretary, Kansas Department for Aging and Disability Services, pursuant to K.S.A. 59-29a11(e), Annual Report, Transitional and Conditional Release of Persons Committed to the Sexual Predator Treatment Program, p. 568.

From Nick Jordan, Secretary of the Kansas Department of Revenue, as required by K.S.A. 74-50, 118(c), 2014 Annual Report -- Kansas Enterprise Zone Act, p. 588.

From Captain Josh Kellerman, Public and Government Affairs, Kansas Highway Patrol, 2014 Annual Report, p. 770.

From Ruth Glover, Executive Director, Kansas Human Rights Commission, in accordance with K.S.A. 44-1004, Kansas Human Rights Commission Annual Report Fiscal Year 2014, p. 796.

From Douglas A. Girod, M.D., Executive Vice Chancellor, The University of Kansas Medical Center, 2014 Annual Report, p. 824.

From Ray Roberts, Secretary of Corrections, in accordance with K.S.A. 60-4117, report of the Kansas Department of Corrections State Forfeiture Fund for the period of December 2, 2013 through December 1, 2014, p. 910.

From Ed Eilert, Chairman, Johnson County Education Research Triangle Authority, in accordance with the requirements of K.S.A. 19-5005(e), Annual Report concerning the financial activities of the Authority: reports of The Authority's Financial Statements; Audit of Authority Funds; The Authority's Agreed-Upon Procedures Report; and The Authority's required communication/management letter, p. 950.

#### **MESSAGES FROM THE GOVERNOR**

State of the State, pp. 64-70.

ERO No. 43, concerning responsibilities of the Kansas Department of Health and Environment and the Kansas Department for Children and Families, pp.76-81.

Executive Order No. 15-01, concerning rescinding certain executive orders, pp. 206-207.

Executive Order No. 15-02, concerning employment practices for veterans and disabled individuals, p. 207.

Message accompanying approval of **HB 2061**, pp. 810-811.

**SPECIAL REMARKS**

Rep. Ballard on the Reverend Martin Luther King, Jr., p. 75.

Rep. Merrick: Charlene Swanson is completing her 40<sup>th</sup> session working for the Kansas state legislature. She started as one of the original Senate File Clerks in the 1976 session and moved to the House Clerk's office the next year. She has performed several functions over the years, but is most recognized as the Chief Journal Clerk, a position she has held for many sessions. She has seen many changes to the way the legislature does business—from typewriters, carbon paper, scissors and tape to full computerization and real time electronic publication. And she keeps me straight when I'm in the chair.

We congratulate and commend Charlene Swanson and thank her for her dedicated service, p. 608.







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This index includes all legislation sponsored by House Members, House committees, Joint Committees, Select Committees and Special Committees. Only bills active during the 2015 Regular Session are included in this report.

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- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
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### **Alford, Steve**

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### **Ballard, Barbara**

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- HB 2320 Directing the secretary of administration to study whether public employers engage in wage discrimination on the basis of sex.
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- HB 2273 Allowing certain counties to require incident management tow permits and operator licenses.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6025 Congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Carlin, Sydney**

- HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and

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commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Carmichael, John**

HB 2220 Teachers' contracts; due process.

HB 2230 Repealing the health care compact.

HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.

HB 2316 Providing for a livable minimum wage.

HR 6010 Honoring former Representative Forrest Swall.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Carpenter, Blake**

HCR 5010 Making application to the U.S. congress to call a convention of the states.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Carpenter, Will**

HB 2075 Establishing the capitol meditation room.

HCR 5018 State constitutional human life amendment.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Clays, J. R.**

HB 2075 Establishing the capitol meditation room.

HB 2076 Sales tax holiday.

HB 2318 Partnering with western governors university to provide online, competency-based education.

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6013 Honoring Rudolph "Rudy" Camarena for his service to our nation in WWII as one of the heroic men who stormed the beaches at Normandy.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Clark, Lonnie**

- HB 2148 Kansas transparency act.
- HCR 5018 State constitutional human life amendment.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Clayton, Stephanie**

- HB 2007 Creating a law enforcement mutual aid region for critical incidents.
- HB 2076 Sales tax holiday.
- HB 2148 Kansas transparency act.
- HB 2220 Teachers' contracts; due process.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Concannon, Susan**

- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Corbet, Ken**

- HCR 5018 State constitutional human life amendment.
- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Couture-Lovelady, Travis**

- HCR 5008 Right of public to hunt, fish and trap.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.



HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Curtis, Pam**

HB 2220 Teachers' contracts; due process.  
HB 2230 Repealing the health care compact.  
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.  
HR 6010 Honoring former Representative Forrest Swall.  
HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Dannebohm, Basil**

HB 2041 Parkinson's disease public awareness and education act.  
HB 2136 Providing homestead property tax refunds for renters.  
HCR 5010 Making application to the U.S. congress to call a convention of the states.  
HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.  
HR 6010 Honoring former Representative Forrest Swall.

**Davis, Erin**

HB 2076 Sales tax holiday.  
HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.  
HR 6010 Honoring former Representative Forrest Swall.  
HR 6011 Recognizing and celebrating National Donate Life Blue and Green Day on April 17, 2015 and National Donate Life Month in Kansas during April.  
HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
HR 6025 Congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.  
HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**DeGraaf, Pete**

HB 2075 Establishing the capitol meditation room.  
HCR 5010 Making application to the U.S. congress to call a convention of the states.  
HCR 5018 State constitutional human life amendment.  
HR 6010 Honoring former Representative Forrest Swall.  
HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Dierks, Diana**

HB 2148 Kansas transparency act.  
HB 2220 Teachers' contracts; due process.  
HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

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- HR 6010 Honoring former Representative Forrest Swall.
- HR 6013 Honoring Rudolph "Rudy" Camarena for his service to our nation in WWII as one of the heroic men who stormed the beaches at Normandy.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Doll, John**

- HB 2148 Kansas transparency act.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6015 Congratulating and commending Garden City Community College for being named College of the Year for 2014 by the Rural Community College Alliance.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Dove, Willie**

- HB 2007 Creating a law enforcement mutual aid region for critical incidents.
- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Edmonds, John**

- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Esau, Keith**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Estes, Bud**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6005 Congratulating and commending the 2015 Kansas Teacher of the Year team.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Ewy, John**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Finch, Blaine**

- HR 6006 Commemorating the 150th Anniversary of Ottawa University in Ottawa, Kansas.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Finney, Gail**

- HB 2011 Enacting the cannabis compassion and care act.
- HB 2013 Omega Psi Phi license plate.
- HB 2076 Sales tax holiday.
- HB 2148 Kansas transparency act.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6016 Designating March 11, 2015, as Kansas Lupus Awareness Day.
- HR 6017 Designating March 12, 2015, as Kidney Awareness Day.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6022 Designating the month of April as Parkinson's Disease Awareness Month.
- HR 6023 Recognizing Storytime Village, Inc. for its work to give young Kansas children the opportunity for a better future through literacy.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Francis, Shannon**

- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Frownfelter, Stan**

- HB 2316 Providing for a livable minimum wage.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Gallagher, Linda**

- HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Garber, Randy**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Goico, Mario**

- HB 2006 Disabled veterans; public parking facility; no charge.
- HCR 5018 State constitutional human life amendment.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6026 Urging U.S. Congress and POTUS to sign the Toxic Exposure Research Act of 2015 into law.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

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**Gonzalez, Ramon**

- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Grosserode, Amanda**

- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Hawkins, Daniel**

- HB 2041 Parkinson's disease public awareness and education act.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6014 Recognizing the 44th Wichita Riverfest.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Hedke, Dennis**

- HB 2075 Establishing the capitol meditation room.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Hemsley, Lane**

- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Henderson, Broderick**

HB 2220 Teachers' contracts; due process.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Henry, Jerry**

HB 2283 Sales tax exemption for sales of farm products sold at farmers' markets.

HB 2284 Sales tax exemption for Highland pride, inc.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Hibbard, Larry**

HB 2148 Kansas transparency act.

HCR 5010 Making application to the U.S. congress to call a convention of the states.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Highberger, Dennis "Boog"**

HB 2148 Kansas transparency act.

HB 2220 Teachers' contracts; due process.

HB 2230 Repealing the health care compact.

HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.

HB 2316 Providing for a livable minimum wage.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Highland, Ron**

HB 2076 Sales tax holiday.

HCR 5018 State constitutional human life amendment.

HR 6005 Congratulating and commending the 2015 Kansas Teacher of the Year team.

HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.

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- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Hildabrand, Brett**

- HB 2004 Kansas right to try act.
- HB 2075 Establishing the capitol meditation room.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HB 2148 Kansas transparency act.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Hill, Don**

- HB 2148 Kansas transparency act.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Hineman, Don**

- HB 2148 Kansas transparency act.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6015 Congratulating and commending Garden City Community College for being named College of the Year for 2014 by the Rural Community College Alliance.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Hoffman, Kyle**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

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- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
 HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Houser, Michael**

- HB 2003 Cities; annexation of non-adjoining land.  
 HB 2075 Establishing the capitol meditation room.  
 HR 6010 Honoring former Representative Forrest Swall.  
 HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
 HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
 HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Houston, Roderick**

- HB 2220 Teachers' contracts; due process.  
 HR 6010 Honoring former Representative Forrest Swall.  
 HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
 HR 6023 Recognizing Storytime Village, Inc. for its work to give young Kansas children the opportunity for a better future through literacy.  
 HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
 HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Huebert, Steve**

- HB 2075 Establishing the capitol meditation room.  
 HCR 5010 Making application to the U.S. congress to call a convention of the states.  
 HCR 5018 State constitutional human life amendment.  
 HR 6010 Honoring former Representative Forrest Swall.  
 HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
 HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
 HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Hutchins, Becky**

- HB 2139 Postsecondary education; tuition and fees for aliens.  
 HCR 5010 Making application to the U.S. congress to call a convention of the states.  
 HCR 5018 State constitutional human life amendment.  
 HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.  
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 HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
 HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
 HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Hutton, Mark**

- HB 2075 Establishing the capitol meditation room.  
 HCR 5018 State constitutional human life amendment.

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- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Jennings, Russell**

- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6015 Congratulating and commending Garden City Community College for being named College of the Year for 2014 by the Rural Community College Alliance.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Johnson, Steven**

- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6013 Honoring Rudolph "Rudy" Camarena for his service to our nation in WWII as one of the heroic men who stormed the beaches at Normandy.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Jones, Dick**

- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Jones, Kevin**

- HB 2075 Establishing the capitol meditation room.
- HB 2076 Sales tax holiday.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

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**Kahrs, Mark**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Kelley, Kasha**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Kelly, Jim**

- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Kiegerl, Mike**

- HB 2004 Kansas right to try act.
- HB 2075 Establishing the capitol meditation room.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Kleeb, Marvin**

- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

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**Kuether, Annie**

- HB 2148 Kansas transparency act.
- HB 2220 Teachers' contracts; due process.
- HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
- HB 2316 Providing for a livable minimum wage.
- HR 6007 Commemorating the 11th Anniversary of National Wear Red Day.
- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Lane, Harold**

- HB 2220 Teachers' contracts; due process.
- HB 2230 Repealing the health care compact.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Lewis, Greg**

- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Lunn, Jerry**

- HB 2075 Establishing the capitol meditation room.
- HB 2098 Designating a portion of U.S. 69 as the 2nd Lieutenant Justin L Sisson memorial highway.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6025 Congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Lusk, Nancy**

- HB 2148 Kansas transparency act.
- HB 2220 Teachers' contracts; due process.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

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- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Lusker, Adam**

- HCR 5008 Right of public to hunt, fish and trap.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Macheers, Charles**

- HB 2075 Establishing the capitol meditation room.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Mason, Les**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Mast, Peggy**

- HB 2075 Establishing the capitol meditation room.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **McPherson, Craig**

- HB 2004 Kansas right to try act.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

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HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Merrick, Ray**

- HCR 5001 Joint session for hearing message of the governor.
- HCR 5002 Joint rules for the Senate and House of Representatives, 2015-2016.
- HCR 5016 Adjournment of the legislature for a time during the 2015 Session.
- HCR 5017 Adjournment of the legislature for a time during the 2015 session.
- HCR 5019 Adjournment of legislature for a time during the 2015 session.
  - HR 6001 Organization of the House of Representatives, 2015.
  - HR 6002 Assignment of seats in House of Representatives, 2015.
  - HR 6003 Rules of the House of Representatives, temporary 2015 session.
  - HR 6004 Rules of House of Representatives, permanent rules of the 2015-2016 biennium.
  - HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
  - HR 6010 Honoring former Representative Forrest Swall.
  - HR 6012 Supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to its relationship with Taiwan.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6021 Relating to assignment of seats of the house of representatives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Moxley, Tom**

- HB 2148 Kansas transparency act.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**O'Brien, Connie**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
  - HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
  - HR 6010 Honoring former Representative Forrest Swall.
  - HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
  - HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
  - HR 6027 Commending family caregivers in Kansas for their service and commitment to improving lives.
  - HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Osterman, Les**

- HB 2075 Establishing the capitol meditation room.
- HB 2139 Postsecondary education; tuition and fees for aliens.

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- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Ousley, Jarrod**

- HB 2220 Teachers' contracts; due process.
- HB 2230 Repealing the health care compact.
- HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Patton, Fred**

- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6022 Designating the month of April as Parkinson's Disease Awareness Month.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Pauls, Janice**

- HB 2075 Establishing the capitol meditation room.
- HB 2076 Sales tax holiday.
- HCR 5018 State constitutional human life amendment.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Peck, Virgil**

- HB 2075 Establishing the capitol meditation room.
- HB 2076 Sales tax holiday.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and

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commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Phillips, Tom**

HB 2148 Kansas transparency act.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Powell, Randy**

HB 2075 Establishing the capitol meditation room.

HB 2076 Sales tax holiday.

HCR 5010 Making application to the U.S. congress to call a convention of the states.

HCR 5018 State constitutional human life amendment.

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Proehl, Richard**

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Read, Marty**

HB 2075 Establishing the capitol meditation room.

HB 2139 Postsecondary education; tuition and fees for aliens.

HCR 5010 Making application to the U.S. congress to call a convention of the states.

HCR 5018 State constitutional human life amendment.

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Rhoades, Marc**

HB 2075 Establishing the capitol meditation room.

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- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HCR 5018 State constitutional human life amendment.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Rooker, Melissa**

- HB 2007 Creating a law enforcement mutual aid region for critical incidents.
- HB 2076 Sales tax holiday.
- HB 2148 Kansas transparency act.
- HB 2220 Teachers' contracts; due process.
- HB 2230 Repealing the health care compact.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Rubin, John**

- HB 2075 Establishing the capitol meditation room.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HB 2148 Kansas transparency act.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Ruiz, Louis**

- HB 2230 Repealing the health care compact.
- HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Ryckman, Ron**

- HB 2075 Establishing the capitol meditation room.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and

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commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6025 Congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Ryckman Sr., Ronald**

HB 2075 Establishing the capitol meditation room.

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

### **Sawyer, Tom**

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Scapa, Joseph**

HB 2075 Establishing the capitol meditation room.

HB 2076 Sales tax holiday.

HCR 5010 Making application to the U.S. congress to call a convention of the states.

HCR 5018 State constitutional human life amendment.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Schroeder, Don**

HB 2075 Establishing the capitol meditation room.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Schwab, Scott**

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6019 Designating March 2015 as Self-Care Month.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6025 Congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Schwartz, Sharon**

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Seiwert, Joe**

HCR 5010 Making application to the U.S. congress to call a convention of the states.

HCR 5018 State constitutional human life amendment.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Sloan, Tom**

HB 2002 Sexual exploitation of a child; definition of "sexually explicit conduct".

HB 2014 Authorizing the Kansas water office, with approval of the Kansas water authority, to establish the clean drinking water fee by rules and regulations and imposing a cap on such fee.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Smith, Charles**

HB 2075 Establishing the capitol meditation room.

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Suellentrop, Gene**

HB 2139 Postsecondary education; tuition and fees for aliens.

HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.

HR 6010 Honoring former Representative Forrest Swall.

HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

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HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Sutton, William**

- HB 2075 Establishing the capitol meditation room.
- HB 2076 Sales tax holiday.
- HB 2139 Postsecondary education; tuition and fees for aliens.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Swanson, Susie**

- HB 2103 Designating bridge no. 14 (030) in Clay county as the Clay county Vietnam veterans bridge.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6011 Recognizing and celebrating National Donate Life Blue and Green Day on April 17, 2015 and National Donate Life Month in Kansas during April.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Thimesch, Jack**

- HCR 5018 State constitutional human life amendment.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Thompson, Kent**

- HB 2076 Sales tax holiday.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Tietze, Annie**

- HB 2148 Kansas transparency act.
- HB 2220 Teachers' contracts; due process.
- HB 2230 Repealing the health care compact.

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- HR 6008 Commemorating the 150th Anniversary of Washburn University in Topeka, Kansas.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Todd, James**

- HB 2075 Establishing the capitol meditation room.
- HB 2076 Sales tax holiday.
- HB 2186 Prohibiting the use of state aid by public postsecondary educational institutions to support certain academic entities that are academically boycotting certain countries where certain institutions of higher education are located.
- HB 2188 Driver's licenses; requiring entering into a payment plan for certain individuals to receive restricted driving privileges when license has expired while on suspension.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6012 Supporting Taiwan's participation in international trade agreements and international organizations and reaffirming Kansas' commitment to its relationship with Taiwan.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Trimmer, Ed**

- HB 2148 Kansas transparency act.
- HB 2220 Teachers' contracts; due process.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Vickrey, Jene**

- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

### **Victors, Ponka-We**

- HB 2220 Teachers' contracts; due process.
- HB 2230 Repealing the health care compact.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

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- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Ward, Jim**

- HB 2012 Enacting the Kansas working families pay raise act.  
HB 2048 Relating to eligibility requirements for the Kansas program of medical assistance.  
HB 2046 Repealing the health care compact.  
HB 2047 Patient empowerment act relating to I/DD waiver program.  
HB 2143 Lobbying restrictions; certain elected state officers and executive staff.  
HB 2144 Voter registration; affidavit to verify name change.  
HB 2145 Help Kansas vote act.  
HB 2146 County election officers; nepotism rule applied.  
HB 2148 Kansas transparency act.  
HB 2220 Teachers' contracts; due process.  
HR 6010 Honoring former Representative Forrest Swall.  
HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Waymaster, Troy**

- HCR 5010 Making application to the U.S. congress to call a convention of the states.  
HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.  
HR 6010 Honoring former Representative Forrest Swall.  
HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Whipple, Brandon**

- HB 2076 Sales tax holiday.  
HB 2148 Kansas transparency act.  
HB 2172 Nurse aide trainees; criminal history record information check; before the state of school.  
HB 2220 Teachers' contracts; due process.  
HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.  
HB 2316 Providing for a livable minimum wage.  
HB 2317 Requiring employment of Kansas workers for certain state contracts and tax incentives.  
HB 2318 Partnering with western governors university to provide online, competency-based education.  
HR 6010 Honoring former Representative Forrest Swall.  
HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.  
HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.  
HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Whitmer, John**

- HB 2075 Establishing the capitol meditation room.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Williams, Kristey**

- HB 2075 Establishing the capitol meditation room.
- HB 2148 Kansas transparency act.
- HCR 5010 Making application to the U.S. congress to call a convention of the states.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Wilson, John**

- HB 2201 Adult care homes; staffing, inspections, admissions, reporting and penalties.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Winn, Valdenia**

- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.
- HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**Wolfe Moore, Kathy**

- HB 2148 Kansas transparency act.
- HB 2220 Teachers' contracts; due process.
- HB 2230 Repealing the health care compact.
- HB 2314 Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects.
- HR 6009 Designating February 10, 2015, as Multiple Sclerosis Awareness Day at the Capitol.
- HR 6010 Honoring former Representative Forrest Swall.
- HR 6020 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6024 Encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

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HR 6028 Congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

## HOUSE STANDING COMMITTEES

### *Agriculture and Natural Resources*

- H Sub for SB36 House Substitute for SB 36 by Committee on Agriculture and Natural Resources-  
Creating the local conservation lending program.
- HB 2029 Identification of domesticated deer.
- HB 2030 Amendments to the Kansas pet animal act.
- HB 2059 Authorizing chief engineer to allow augmentation to secure water.
- HB 2060 Authorizing the governor to enter into the great plains interstate fire compact.
- HB 2061 Amending the powers and duties of the Kansas department of agriculture division of conservation and the state conservation commission.
- HB 2063 Amending the definition of project in the public water supply project loan program.
- HB 2069 Allowing carryover and a change application for place of use for multi-year flex accounts.
- HB 2116 Making the channel cat fish the official fish of the state of Kansas.
- HB 2117 Requiring the completion of a boater safety education course.
- HB 2156 Public water supply storage; interest rate change.
- HB 2227 Creating water conservation areas.
- HB 2231 Eliminating the annual licensing fee for any gas well used to strictly heat a dwelling or other structure.
- HB 2278 Removing reference to the association of official analytical chemists in agricultural liming materials provisions.
- HB 2279 Amending the administrative hearing process for the department of agriculture.
- HB 2322 Kansas expanded lottery act and racetrack gaming amendments; Kansas agricultural opportunity act.
- HB 2329 Creating a program to research the use of industrial hemp.
- HB 2341 Prioritizing options for disposal of seized wildlife.
- HB 2351 Allowing conservation districts to sponsor local enhanced management areas.

### *Agriculture and Natural Resources Budget*

- HB 2072 Increasing assessments for the Kansas agricultural remediation reimbursement fund.

### *Appropriations*

- H Sub for SB4 House Substitute for SB 4 by Committee on Appropriations-Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies.
- H Sub for SB7 House Substitute for SB 7 by Committee on Appropriations - Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education.
- H Sub for SB11 House Substitute for SB 11 by Committee on Appropriations - State employees; essential employee defined.
- HB 2038 Appropriation revisions for FY 2015, FY 2016, FY 2017, and FY 2018 for various state agencies.
- HB 2062 Relating to blackmail and breach of privacy.
- HB 2085 Contracts between the secretary of transportation and the Kansas Turnpike Authority; annual reports from the authority; director of operations.

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- HB 2133 Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies.
- HB 2134 Authorizing consumer credit report security freezes for individuals less than 18 years old.
- HB 2151 Workplace bullying, abuse and harassment; policies for state employees.
- HB 2152 Giving full-time state employees one additional discretionary holiday each year.
- HB 2153 Taxpayer empowerment, accountability and transparency in state contracting act.
- HB 2166 Creating an exception to maximum vehicle length requirements for custom harvesters.
- HB 2266 Requiring postsecondary education institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking.
- HB 2267 Alternative project delivery; notice requirements and selection procedures.
- HB 2268 Authorizing the state historical society to accept certain real property known as the Last Chance Store.
- HB 2269 Lottery, gaming, parimutuel winnings, debt set off; child support.
- HB 2299 Directing the secretary of labor to submit a statewide plan for state enforcement of OSHA standards.
- HB 2303 Allowing the secretary of health and environment to establish variances to water quality standards.
- HB 2304 Creating the local conservation lending program.
- HB 2305 Creating an institutional license to practice veterinary medicine.
- HB 2319 State medical assistance program; expansion of eligibility.
- HB 2364 Removing sunset on the veterinary training program for rural Kansas.
- HB 2365 Making appropriations for FY 16 and FY 17 for the judicial branch.
- HB 2366 Capital improvement projects for various state agencies.
- HB 2369 Prohibiting minors' access to a tanning device.
- HB 2370 Appropriations for FY 2015, FY 2016, FY 2017, FY 2018 and FY 2019 for various state agencies.
- Sub HB2370 Substitute for HB 2370 by Committee on Appropriations - Appropriations for FY 2015, FY 2016, FY 2017, FY 2018 and FY 2019 for various sate agencies; capital improvement projects.
- HB 2374 Establishing a new type of installment loan.
- HB 2375 Enacting the gun violence restraining order act.
- HB 2378 Establishing the Kansas legislature award for teaching excellence program.
- HB 2382 Placement of juveniles in certain correctional facilities.
- HB 2391 State employees; shared leave program limited to life threatening medical conditions; longevity bonuses only if moneys appropriated for such bonuses; classified positions converted to unclassified positions.
- HB 2394 Career technical education incentive draw down.
- HB 2395 State building projects; negotiating committees; alternative procurement.
- HB 2403 Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education.
- HB 2410 STAR bonds; economic impact study; base year assessed valuation for additions of area to project districts; financing in excess of approved amounts.
- HB 2411 Abolishing the court of appeals; establishing the court of criminal appeals and the court of civil appeals; changing appellate court jurisdiction.
- HB 2412 Providing optional notification by website.
- HB 2416 KPERS; definition of compensation for purposes of computing final average salary.
- HB 2418 Review of and limitations on contracts and lease-purchase agreements for energy conservation measures.
- HB 2426 KPERS; definition of compensation for purposes of computing final average salary.

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*Children and Seniors*

- HB 2058 Hospitals; regarding designated lay caregivers; duties of the hospital; policies and procedures.
- HB 2100 Establishing tax deferred savings accounts for individuals with disabilities.
- HB 2170 Grades K-12; use of seclusion and restraint of students with disabilities; reporting thereof.
- Sub HB2170 Substitute for HB 2170 - Schools and school districts; seclusion and restraint of pupils.

*Commerce, Labor and Economic Development*

- HB 2096 Kansas Uniform Common Interest Owners Bill of Rights Act.
- Sub HB2200 Substitute for HB 2200 by Committee on Commerce, Labor and Economic Development - Alcoholic liquor; county option retailers act; grocery stores and convenience stores.
- HB 2248 Tax increment financing eligibility for projects involving very old buildings and adjacent vacant or condemned lots.
- HB 2254 Exempting certain general contractors from the roofing contractor registration act.
- HB 2261 Amending unemployment insurance benefits determination; employer classification and contribution rates.
- HB 2265 Unemployment benefits for privately contracted school bus drivers.
- HB 2325 Enacting the public employee bargaining transparency act.
- HB 2326 Contract negotiations for certain professional employees.
- HB 2354 Project-related sales tax exemptions for certain businesses that create jobs.
- HB 2355 Prohibiting advance payment for distribution of motion pictures to drive-in theaters.
- HB 2356 Providing for public safety with regard to elevators.
- HB 2357 Department of labor; employment security; disqualification for benefits, administrative review, personnel carrying out act, filing of wage reports.

*Corrections and Juvenile Justice*

- HB 2017 Amending the crime of aggravated battery, concerning strangulation.
- HB 2018 Images of children in a state of nudity.
- HB 2031 School district plan addressing child sexual abuse; establishing Erin's law.
- HB 2049 Amending penalty for first and second marihuana possession convictions.
- HB 2050 Allow prison sanction without county jail sanction for absconders.
- HB 2051 Amendments to calculation of good time and program credits for inmates.
- HB 2052 Including diversions for felony violations in criminal history and the drug abuse treatment program.
- HB 2055 Conversion of out of state misdemeanors.
- HB 2056 Use of risk assessment tool for community corrections placement.
- HB 2080 Including unlawful dissemination of consensually taken images in blackmail and breach of privacy.
- HB 2105 Creating the Kansas comprehensive money laundering act.
- HB 2106 Amending criminal penalties under the Kansas uniform securities act.
- HB 2107 Delinquent time lost on parole while offender has absconded from supervision.
- HB 2137 Enacting the police and citizen protection act; relating to use of body cameras by law enforcement officers.
- HB 2138 Amending provisions relating to municipal appearance bonds.
- HB 2140 Relating to interlocutory appeals by the state; transfer of appeals by prosecution to the supreme court.
- HB 2141 Licensure of bail enforcement agents by the attorney general.
- HB 2147 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.

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- HB 2217 Racial profiling data collection and reporting requirements.
- HB 2218 Amending burglary to exclude premises that are the time open to the public.
- HB 2247 Including department of corrections employees in coronary or cerebrovascular injury provisions for workers compensation.
- HB 2271 Requiring conviction before forfeiture of assets.
- HB 2275 Relating to substances included in schedules I, II, III and IV of the uniform controlled substances act.
- HB 2313 Amending assault and battery to increase penalty for assault or battery of a health care provider and creating the crime of unlawful interference with a health care provider.
- HB 2335 Creating alternative incarceration credit for inmates.
- HB 2336 Requiring use of risk assessment tool in certain juvenile cases.
- HB 2337 Removing reference to conservation camps.
- HB 2338 Amendments to inherently dangerous felony list.
- HB 2339 Changing age of consent for sexual relations.
- HB 2358 Removing age requirement from crime of female genital mutilation.
- HB 2359 Requiring law enforcement vehicle and body camera videos to be confidential.

### *Education*

- HB 2027 Requiring school district and state department of education audits; creating the efficient operation of schools task force.
- HB 2028 Creating the Kansas education standards study commission.
- HB 2034 Reducing negotiable terms and conditions in the professional negotiations act.
- HB 2035 Amending the tax credit for low income students scholarship program act.
- HB 2099 Authorizing school districts to administer certain surveys and questionnaires under the student data privacy act.
- S Sub for Sub HB 2170 Senate Substitute for Substitute for HB 2170 by Committee on Education -- Creating the freedom from unsafe restraint and seclusion act.
- HB 2199 School districts; human sexuality education; policies and procedures.
- HB 2207 Development and implementation of ethnic studies in schools.
- HB 2257 Amendments to the professional negotiations act.

### *Education Budget*

- HB 2203 School district agreements for consolidation of administrative services.
- HCR 5011 Foresight 2020 strategic plan.

### *Elections*

- HB 2082 Lobbyist defined.
- HB 2083 Campaign finance; reports; required information.
- HB 2104 Elections; filling vacancies of nominations.
- HB 2108 Elections; straight ticket ballots.
- HB 2182 Campaign finance solicitations; legislative session.
- HB 2183 Political campaigns and use of technology.
- HB 2184 Governmental ethics; limitations on gifts and travel; lobbyist filings.
- HB 2185 Elections; polling places; unified school districts.
- HB 2210 County commission boards; expansion of commissioners; special election.
- HB 2211 Campaign finance; soliciting campaign funds.
- HB 2212 City political committees.
- HB 2213 Campaign finance; increasing contribution limits; contributions received during primary period.
- HB 2214 Procedure of appointment when certain vacancies of office or nomination occur.
- HB 2215 Campaign finance; transfer of campaign funds.

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- HB 2251 Elections; ballot on demand; advance voting changes; electronic polling books.
- HB 2340 Elections; municipal, spring to fall, even years, partisan; special districts spring to fall, odd years.

### *Energy and Environment*

- H Sub for SB91 House Substitute for SB 91 by Committee on Energy and Environment - Renewable energy standards act and property tax exemptions for renewable energy resources.
- HB 2131 Abandoned oil and gas well fund.
- HB 2132 Injected natural gas and property rights.
- HB 2177 Voluntary cleanup and property redevelopment act.
- HB 2192 Kansas storage tank act.
- HB 2193 Solid and hazardous waste and the risk management program act.
- HB 2233 Electric utilities and carbon dioxide emissions.

### *Federal and State Affairs*

- Sub HB 2007 Substitute for HB 2007 by Committee on Federal and Stat Affairs -- Creating a law enforcement mutual aid region for critical incidents.
- HB 2026 Establishing requirements and fiduciary duties for pharmacy benefits managers under the state health care benefits program.
- HB 2074 Regulating firearm possession.
- HB 2087 Prohibiting local regulation of firearm sales by federal firearms licensees.
- HB 2088 Alcoholic beverages; issuance of citations by the division of alcoholic beverage control.
- HB 2089 Alcoholic beverages; disqualification of hidden owners from licensure.
- HB 2125 Alcoholic beverages; amendments regarding regulation by the division of alcoholic beverage control.
- HB 2171 Kansas lottery; sale of tickets; advertising; underage purchase of ticket prohibited.
- HB 2174 Tax credit for low income students scholarship program act amendments.
- HB 2175 Prohibit use of carbon monoxide chambers for euthanizing dogs and cats.
- HB 2187 Creating the Kansas unborn child protection from dismemberment abortion act.
- HB 2189 Limits on microbrewery production and distribution.
- HB 2190 Saving communities amendments to the personal and family protection act.
- HB 2191 Alcoholic beverages; sampling by distributor licensees.
- HB 2200 Alcoholic beverages; expansion of retailer's licenses and the transfer thereof.
- HB 2208 Prohibition on sales of powdered alcohol.
- HB 2223 Alcoholic liquor; dispensing liquor and infusing flavor.
- HB 2224 Scope of practice for technical professions.
- Sub HB2224 Substitutue for HB 2224 by Committee on Federal and State Affairs -- Technical professions act; definitions clarification.
- HB 2232 Personal financial literacy course as a requirement for high school graduation.
- HB 2245 Amending procedure for cases involving groundwater.
- HB 2246 Municipalities; payment of claims, notice of claims procedures; employees added.
- HB 2262 Providing a compliance deadline and penalties for non-compliance with the student data privacy act.
- HB 2291 Charitable gaming act; regulation of bingo and raffles.
- HB 2292 Development and establishment of K-12 curriculum standards.
- HB 2293 Amending statutes concerning dangerous regulated animals.
- HB 2294 Requiring the use of e-verify by employers.
- HB 2295 Bingo act regulations; changes.
- HB 2296 Cities and counties; public building commission; revenue bonds; election required.
- HB 2297 Vietnam service medal license plate decal.
- HB 2309 Sales tax exemption for purchases made by or on behalf of rotary club of Leawood,

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- Kansas charitable fund, inc.
- HB 2310 Excepting certain persons from the chemigation permit requirements.
- HB 2311 Creating the Kansas firearms industry nondiscrimination act.
- HB 2312 Kansas expanded lottery act; racetrack gaming.
- HB 2330 Consumer protection; common interest owners rights.
- HB 2331 Consumption of alcoholic liquor on public property at a catered event.
- HB 2332 Authorizing microbreweries to manufacture and sell hard cider and mead.
- HB 2333 Cause of action against a person who presents false identification to obtain alcoholic liquor.
- HB 2334 Requirements on cash advance consumer loan transactions under the uniform consumer credit code.
- HB 2353 Eliminating an obsolete reference to nonproficient pupils in the virtual school act.
- HB 2368 Establishing arts and cultural districts for the promotion of arts and culture.
- HB 2371 Exclusion of fantasy sports leagues from the crime of gambling.
- HB 2376 Emergency medical services board authority to impose fines, investigate and issue subpoenas.
- HB 2380 Regional system of cooperating libraries; appointment of members; certain members appointed by board of county commissioners.
- HB 2381 Kansas department for children and families; eligibility requirements for public assistance.
- HB 2383 Creating the Kansas charitable raffle act.
- Sub HB2383 Substitute for HB 2383 by Committee on Federal and State Affairs -- Creating the Kansas charitable bingo and raffle act.
- HB 2384 Rule of law restoration act; immigration.
- HB 2385 Alcoholic beverages; authorizing additional temporary permits for the Kansas state fair.
- HB 2386 Interstate compact for recognition of emergency personnel licensure.
- HB 2387 Emergency medical services amendments.
- HB 2393 Requiring school districts to use generally accepted accounting principles; financial publication requirements.
- HB 2397 Unmanned aerial vehicle regulation and privacy act.
- HB 2398 Elections; presidential preference primary date delayed.
- HB 2407 State infrastructure projects; allowing for public private agreements.
- HB 2413 Alcoholic beverages; creating the art studio permit.
- HB 2414 Department of health and environment and economic impact reports for state implementation plans.
- HB 2417 Abortion; prohibiting decapitation of unborn children.
- HCR 5003 Constitutional amendment; extend recall elections to elected judicial officers.
- HCR 5014 Constitutional amendment; clarifying the power of the legislature to make appropriations.

### *Financial Institutions*

- HB 2216 Kansas money transmitter act.
- HB 2258 Amending the Kansas mortgage business act.
- HB 2259 Amending the county and municipal statement of indebtedness reporting deadlines.
- HB 2260 Eliminating the one-sheet requirement for temporary notes for improvements.
- HB 2352 Financial institutions and remote service units.

### *General Government Budget*

- HB 2240 Removing prohibition against board of tax appeals employees serving as hearing officers.

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HB 2363 Repealing the statutory requirement that there be one judge of the district court in each county.

### *Health and Human Services*

- HB 2016 Amending the school sports head injury prevention act.
- HB 2032 Relating to diabetes information reporting.
- HB 2042 Membership on the governor's behavioral health services planning council.
- HB 2043 Secretary for aging and disability services, criminal history record information.
- HB 2079 Kansas dental board; licensure of registered dental practitioners.
- HB 2118 Podiatrists surgery treatment of the ankle.
- HB 2119 Mental health technicians fees.
- HB 2120 Board of nursing reinstatement of revoked licenses and reinstatement fee.
- HB 2121 Board of nursing; assistant attorneys general.
- HB 2122 Advanced practice registered nurses; scope of practice and prescribing authority.
- HB 2123 Massage therapist licensure act.
- HB 2149 Relating to donor human breast milk.
- HB 2176 Prescription drug fills and refills.
- HB 2202 Relating to service provider audits under the Kansas program of medical assistance.
- HB 2204 Enacting the claim information reporting act and providing for short-term medical plans.
- HB 2205 Advanced practice registered nurse.
- HB 2225 Medical retainer agreements do not constitute insurance.
- HB 2226 Hospital patient observation status.
- HB 2244 The safe families act.
- HB 2280 Board of nursing; certified nurse-midwife.
- HB 2281 Enforcement of vision care services act.
- HB 2282 Authorizing hemp treatments for seizure disorders.
- HB 2315 Secretary for aging and disability services licensure of certain facilities and standards for treatment of certain individuals.
- HB 2321 Expanding the definition of charitable health care providers.
- HB 2324 Stillbirth research and dignity act.
- HB 2362 Healing arts licensees, resident active licenses and health care records.
- Sub HB2362 Substitute for HB 2362 by Committee on Health and Human Services - healing arts licensees, resident active licenses and health care records.

### *Insurance*

- H Sub for SB54 House Substitute for SB 54 by Committee on Insurance - Allowing retiring KHP troopers and officers to convert certain unused leave for use to continue state health plan benefits.
- H Sub for SB117 House Substitute for SB 117 by Committee on Insurance - Regulation of transportation network company services.
- HB 2064 Authorizing insurance companies to insure against the cost of legal services.
- HB 2065 Insurance; nonprofit dental service corporation disbursements.
- HB 2066 Amending certain statutes relating to investments by life insurance and other than life insurance companies.
- HB 2067 Increasing minimum motor vehicle liability insurance policy limits.
- HB 2126 Updating risk-based capital instructions effective date, expiration date for property and casualty actuarial opinion law and increasing the cap on consulting fees for certain insurance companies.
- HB 2142 Amending the definitions of fraudulent insurance act and external review organization.
- HB 2241 Prohibiting insurance companies from canceling or nonrenewing property and casualty policies due to claims arising from natural causes.

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HB 2249 Enacting the transportation network company driver and passenger protection act.

### *Judiciary*

- H Sub for SB184 House Substitute for SB 184 by Committee on Judiciary - Requiring certain individuals to enter into a payment plan in order to receive restricted driving privileges when driver's license has expired while on suspension.
- HB 2022 Qualifications for office of sheriff.
- HB 2023 Legislative review of exceptions to disclosure of public records.
- HB 2024 Domestic battery; sentencing.
- HB 2025 Amending the Kansas law enforcement training act.
- HB 2039 Domestic case management.
- HB 2040 Amending which convictions are counted for driving while license is canceled, suspended or revoked.
- Sub HB2054 Substitute for HB 2054 by Committee on Judiciary - Enacting the public speech protection act.
- HB 2057 Amending procedure for review and appeal of death sentence; restricting second or successive motions attacking sentence filed by prisoners; providing additional procedures for motions attacking sentence filed by prisoners under death sentence.
- HB 2073 Changing the mandatory retirement age for judges and justices.
- HB 2081 Kansas disclosure of unanticipated medical outcomes and medical errors act.
- HB 2084 Kansas prepaid telephone security act.
- HB 2101 Relating to the mediation or arbitration of trust provisions.
- HB 2102 Kansas probate code; elective share of surviving spouse.
- HB 2109 Transfer-on-death deeds; lapsing or vesting of ownership in grantee beneficiary.
- HB 2110 Election of chief judge in each judicial district.
- HB 2111 Code of civil procedure; items allowable as costs.
- HB 2112 Relating to county law libraries.
- HB 2113 Relating to court-appointed special advocates.
- HB 2114 Relating to subpoena of nonparty business records.
- HB 2115 Increasing the penalty for aggravated battery while driving under the influence.
- Sub HB2115 Substitute for HB 2115 by Committee on Judiciary – Criminal history classification; counting of prior driving under the influence offenses when a person is convicted of aggravated battery while driving under the influence.
- HB 2124 UCC uniform law commission update; exclusion of consumer transactions governed by federal law.
- S Sub for HB2124 Senate Substitute for HB 2124 by Committee on Judiciary - Uniform commercial code (UCC) updates; exclusion of consumer transactions governed by federal law; other technical corrections.
- HB 2129 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2130 Relating to wrongful death actions; increasing the amount of damages that may be awarded.
- Sub HB2151 Substitute for HB 2151 by Committee on Judiciary - Grand juries; witnesses to grand jury instructions.
- HB 2158 Increasing sentence for intentional murder in the second degree to mandatory minimum term of imprisonment of 25 years ("hard 25").
- HB 2159 Expungement of DUI diversions and misdemeanor convictions; removing diversions from habitual violator considerations.
- Sub HB2159 Substitute for HB 2159 by Committee on Judiciary – Expungement of driving under the influence and criminal refusal convictions.
- HB 2160 Docket fees; electronic filing and management fund.
- HB 2161 Relating to disputes involving church congregations.

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- HB 2173 Supreme court and court of appeals retention elections campaign finance.
- HB 2198 Possession or consumption of alcoholic beverage by minor; immunity from liability for minor seeking medical assistance needed due to alcohol consumption.
- HB 2206 Enacting the gun violence restraining order act; amending the protection from abuse act; amending criminal distribution of firearms; criminalizing possession of a firearm by a domestic batterer.
- HB 2221 Grand juries; witnesses to grand jury instructions.
- HB 2222 Requiring registration under the Kansas offender registration act for certain municipal ordinance violations.
- HB 2239 Newborn screening for critical congenital heart disease.
- HB 2256 Commercial real estate broker lien act.
- HB 2272 Converting classified staff assistants and attorney positions to unclassified positions for employees of the Kansas department for children and families.
- HB 2276 Eminent domain; authorized transfers to private entities; attorney fees.
- HB 2277 Enacting the Kansas child protection registry act.
- HB 2289 DUI test refusal or failure; administrative hearing procedure.
- HB 2290 Relating to emergency observation and treatment of mentally-ill persons in communities with 24-hour crisis and observation facilities.
- HB 2300 Personal electronic media devices subject to the open records act.
- HB 2301 Authorizing the House committee on judiciary to meet when the legislature is not in session for the purpose of judicial nominations; contingent on adoption of a constitutional amendment.
- HB 2302 Enacting the Kansas right to financial privacy act.
- HB 2323 Amending the Kansas act against discrimination regarding sexual orientation and gender identity.
- Sub HB2330 Substitute for HB 2330 by Committee on Judiciary - Qualifications for office of sheriff.
- HB 2342 Relating to the determination of father and child relationship.
- HB 2344 Thirty percent vote against retention of a court of appeals judge would result in an open position.
- HB 2345 Prohibiting school board members from having a conflict of interest.
- HB 2346 Draft budgets subject to the open records act.
- HCR 5004 Constitutional amendment revising article 3, relating to the judiciary; providing for direct partisan election of supreme court justices and court of appeals judges; abolishing the supreme court nominating commission.
- HCR 5005 Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; abolishing the supreme court nominating commission.
- HCR 5006 Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; lifetime appointment, subject to removal for cause; retaining the supreme court nominating commission, membership amended.
- HCR 5009 Constitutional amendment; 33% vote against retention of a supreme court justice would result in open position.
- HCR 5012 Constitutional amendment; abolishing the supreme court nominating commission; supreme court justices appointed by governor from nominees submitted by House Judiciary committee, subject to Senate confirmation.
- HCR 5013 Constitutional amendment revising article 3, relating to the judiciary; placing the court of appeals into the constitution; changing the membership of the supreme court nominating commission.
- HCR 5015 Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate

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- HB 2163 Municipalities; contracts with other municipalities.
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- HB 2274 Nominations for political parties; petitions.

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- HB 2095 Issuing \$1.5 billion of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS.
- HB 2250 KPERS retiree cost of living increase.
- HB 2253 Extending special employment after retirement provisions under KPERS for certain retirees who are teachers.
- HB 2288 Enacting the Kansas deferred retirement option program act.
- HB 2360 Increasing the membership of the KPERS board of trustees from nine to 11 members.

### *Taxation*

- H Sub for SB29 House Substitute for SB 29 by Committee on Taxation - Concerning taxation; relating to income tax, rates, itemized deductions, credits, income modifications and rural opportunity zones; tax amnesty; sales and compensating use tax, rates, food and distribution thereof; sales tax authority for Bourbon, Douglas and Thomas counties; cigarettes, rates; property taxation, consolidated fire districts
- H Sub for SB270 Providing for a sales and compensating use tax rate of 6.85% and a rate of 5.9% on food; eliminating certain itemized deductions; decreasing the rate of tax on resident individuals; tax amnesty.
- HB 2070 Excluding certain government owned property from the request for exemption process.
- HB 2071 Property taxation; market study analysis, persons eligible to be appointed appraiser.
- HB 2086 Sales tax exemption; defining machinery and equipment used as integral or essential part of an integrated production operation.
- HB 2127 Sales tax exemption for friends of hospice of Jefferson County.
- HB 2128 Permitted use of tax information in certain tax actions and proceedings; tax liens upon personal property; tax warrants; time for returns and payment of tax; liability for persons responsible for collection of sales or compensating tax.
- HB 2167 Increasing interest rate on delinquent real property taxes.
- HB 2168 Property tax exemption and classification for property used for bed and breakfast purposes.
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- HB 2209 Tax credits; individual development account program; availability of credits.
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- HB 2264 Valuation and taxation of certain oil and gas equipment and materials.
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- HB 2307 State finances; relating to state general fund tax receipts and expenditures; providing a tax amnesty; creating a budget stabilization fund, tax reduction fund; ending balances; income tax rates, itemized deductions; reports to the legislature.
- HB 2308 Sales tax exemption for sales of certain machinery and equipment used for automated ice vending machines.
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- HB 2388 Sales tax exemption for helping hands humane society, inc.
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- HB 2390 Highway advertising; permitting spot zoning.
- HB 2392 Modifications to Kansas adjusted gross income relative to passive income for Kansas income tax purposes.
- HB 2396 Ten-year limit on property tax exemption for renewable energy resources or technologies.
- HB 2399 Increasing sales and compensating use tax rates to 6.3%.
- HB 2400 Repealing the local ad valorem tax reduction fund.
- HB 2401 Imposing an excise tax on ethanol production and electricity generated by renewable resources.
- HB 2402 STAR bonds; definition of STAR bond project, pledge of tax increment revenue, limitations, distribution of sales tax revenue, creating the department of commerce STAR bond administration fund and the department of revenue STAR bond administration fund.
- HB 2404 Allowing counties to submit question to voters to eliminate county property taxes and replace revenues with increased sales taxes.
- HB 2405 Extending the sunset on the angel investment tax credit program.
- HB 2406 Urban core economic development tax-based incentives for housing, opportunity zones and individual development.
- HB 2408 Repealing certain sales tax exemptions.
- HB 2409 Eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of \$20,000 of its appraised value.
- HB 2415 Property taxation; consolidated fire districts, powers and duties of the governing body.
- HB 2419 Taxing moneys, notes and other evidences of indebtedness; providing for the administration, collection and enforcement of the tax thereon.
- HB 2420 Property exempted from taxation after July 1, 2015, not exempt from levies made by or on behalf of a school district.
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- HB 2422 Limiting appeals of property valuation to spring only.  
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- Military service members; diversion; sentencing.
- H Sub for SB112 House Substitute for SB 112 by Committee on Veterans, Military and Homeland Security - Expedited professional state credentialing for military servicemembers and nonresident military spouses.
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- HB 2078 Requiring school districts to adopt school safety and security policies and plans.
- HB 2097 State fire marshal; search and rescue teams and hazardous materials response teams; tort claims immunity; emergency response fund.
- HB 2154 Authorizing private sector employers to establish a hiring preference for veterans.
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- HB 2243 Prohibiting KSHSAA from preventing children of military families from participating in high school sports due to a residency change.
- HB 2252 Providing for the Armed Services occupation medal license plate.
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- HB 2020 Facilitating the process for military service member's dependents to receive services under state home and community based services programs.
- HB 2021 Allowing retiring KHP troopers and officers to convert certain unused leave for use to continue state health plan benefits.
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- HB 2150 Kansas death with dignity act.
- HB 2270 Medical assistance; KanCare II expansion act; duties on the secretary of health and environment.
- HB 2348 Oil and gas and hydraulic fracturing.
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- HB 2015 Juvenile offenders; prohibiting placement in a juvenile correctional facility for a current misdemeanor adjudication.

### *Joint Committee on Special Claims Against the State*

- HB 2135 Claims against the state.

### *Legislative Post Audit Committee*

- SB 4 Office of information technology services; for budgetary purposes, such office shall be considered a separate agency.
- SB 6 Authorizing the division of post audit to background check contractors and other workers.

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- SB 7 Conducting information technology audits.
- SB 8 Repealing school district audit teams and school district performance audit requirements.
- HB 2005 Office of information technology services; for budgetary purposes, such office shall be considered a separate agency.
- HB 2008 Repealing school district audit teams and school district performance audit requirements.
- HB 2009 Authorizing the division of post audit to background check contractors and other workers.
- HB 2010 Conducting information technology audits.

*Senate Select Committee on KPERS*

- SB 168 Issuing a \$1 billion of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS.
- SB 228 Defining police for purposes of eligibility in the Kansas police and firemen's retirement system.

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     S 132 Wildlife, Dangerous regulated animals  
     S 269 Wildlife, Eastern spotted skunk  
 H 2341 Wildlife, Seizure of wildlife

**Workers Compensation**

- H 2247 Department of corrections employees, Coronary or cerebrovascular injury  
     S 167 Evaluation of permanent impairment